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# THE POLITICAL PREDESTINATION OF WOODROW WILSON

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*Whether predestination is absolute or conditional is a cardinal point of controversy between the Calvinists and the Arminians whose determination is not essential to the purpose of the following argument. Equally foreign to need in welding the chain of reasoning is decision of the question of dominance over the world—whether of a personal God or of the powers of Nature. But two assumptions on the part of the reader are requisite to understanding: (1) That the laws of logic, growing out of conditions and circumstances, are irrefragable as applied to human affairs, and (2) that, even so, irrespective election of an individual, without reference to the use he may make of his moral agency, cannot be maintained.*

Upon this hypothesis we confidently base the prediction that, barring accidents of a physical nature, the two chief opposing candidates for the Presidency of the United States in 1912 will be William Howard Taft, Republican, and Woodrow Wilson, Democrat. We do not presume to impute to dialectics the nomination of the former. That, frankly, must be taken for granted. The reasons for its assumption, however, are sufficiently obvious. (1) He is a candidate. (2) He controls the Federal patronage. (3) He has won the confidence and respect of the people in

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large measure and is gaining favor daily. (4) He is gradually acquiring the active friendship of the inevitably conservative business men, without whose support no candidate has been elected President since 1832. His rejection by the National Convention would be unprecedented and would presage certain defeat of the party at the polls.

But one obstacle lies in his path—Insurgency. By a remote possibility the new and eager League of Radical Republicans may secure control of the Convention and nominate, not Cummins, the wheel horse, but La Follette, the resolute, imaginative, inspiring leader. In that event, the Democrats will nominate Judson Harmon in consequence of causes precisely analogous to those set forth below which render the choice of Woodrow Wilson as the opponent of President Taft a virtual certainty.

Logic predestines antithesis. Circumstances, Conditions, uncontrolled and uncontrollable, demand it. History decrees it. Invariably the opposing candidate has been named, not by the opposition itself, but by the party taking the lead—in all but three instances by the party in power.

Sift the records! Sharp alignment of political organizations was first made in 1840. Prior to that time the elements constituting general opposition had been segregated and their strength dissipated. Four candidates had entered the race against Van Buren in 1836 and each had received votes in the electoral college, but Jackson's representative had a majority over all.

*1840.*—Van Buren reaped where Jackson had sown and his administration was a failure. Nevertheless, his renomination was universally accepted as a certainty when representatives of the new Whig party assembled for the first time in National convention to designate a candidate for President. Much difficulty was experienced in reconciling the various discordant elements and great deliberation characterized the proceedings. Three days were consumed in conferences of committees representing the various delegations. Clay was recognized as the ablest man in the party, was the most popular, was the natural choice and, at the beginning, was a prime favorite. Even as late as the second day the aggregate informal vote of the committees was: For Clay, 103; for William Henry Harrison, 97; for Winfield Scott, 57. And yet on the succeeding day Harrison was nominated by acclamation. Clay, the intellectual leader,

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the idol of the masses, the experienced statesman, had been found to be "unavailable." Why? He was too like Van Buren. Both were skilled in statecraft and politics; both were civilians; both were dependent for public favor upon recognition of their mental gifts and shrewd practices. An opposite was the requirement of the opposition. Harrison, the rough-and-ready soldier, the military hero, met the unconscious demand.

*1844.*—Clay's star was in the ascendant and he received every vote in the Whig national convention. Van Buren, who had been beaten by Harrison, was the leading candidate for the Democratic nomination. On the first ballot he received 146 votes to 83 for Lewis Cass and 24 for R. M. Johnson and he held the lead till the fifth. The delegates sympathized with Van Buren's desire for vindication. He was still considered the most sagacious political manager within the party. But on the ninth ballot the unknown Polk was nominated. Why? For the same reasons that Clay was defeated for the Whig candidacy against Van Buren in 1840. The similarity had continued too marked. Both had just declared themselves opposed to the annexation of Texas. Both had long records in political service to uphold and defend. Both were affirmative. Polk was wholly negative. His views were unknown; his convictions adaptable. Polk was chosen.

*1848.*—The Democratic convention named Lewis Cass to succeed Polk. Although he bore a military title, the nominee was noted chiefly as a lawyer and an orator. The leading candidates before the Whig convention were Clay, Daniel Webster, Scott, and Zachary Taylor. Clay was still the idol of his party and Webster its greatest statesman. Both were lawyers and famous orators. Both were rejected. Of the two remaining candidates, Scott and Taylor, both were heroes of the Mexican War. But Scott was the more cultivated, the more diplomatic, the more courtly, and the prize went to "Old Zach," the uncouth, the very antithesis of Cass.

*1852.*—Millard Fillmore had succeeded to the Presidency, upon the death of Taylor, in 1850. Clay had revived his famous compromise measures and secured their enactment, thereby so weakening the Whigs in the North without strengthening them in the South that the reunited Democrats aggressively demonstrated their confidence by holding

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their convention in advance of their opponents. On the forty-ninth ballot they nominated Franklin Pierce, an inconspicuous and inoffensive Governor of New Hampshire, who nevertheless embodied the spirit of the "young democracy." Two weeks later the Whigs assembled. Fillmore was the natural or "logical" candidate and led on the first ballot, but on the fifty-third General Winfield Scott, the opposite in all respects of the young civilian, Pierce, was nominated.

*1856.*—Pierce's administration was a failure and early in June the Democrats nominated James Buchanan, the experienced statesman and diplomat. The Whig party had perished and its successor, the Republican party, held its first convention in Philadelphia on June 17th, 1856. There was no expectation that a distinctive Republican could win. The only apparent possibility of success lay in finding a candidate who would draw the votes of both the Whigs and Americans. Such an one was the jurist, McLean, who received very strong support. But, as ever, when the time came for action McLean's similarity to the Democratic nominee proved fatal to his aspiration and the prize went to John C. Fremont, the dashing young general, "the millionaire without a dollar, the soldier who never fought a battle, the statesman who never made a speech," the man unlike Buchanan in more particulars than any other who could have been selected.

*1860.*—The Democratic party broke in twain at its National Convention in Charleston in April before a vote was taken for candidates. Upon the adoption of the Douglas platform the delegations from eight Southern States withdrew. Nobody could obtain two-thirds of the votes remaining, but Douglas held a plurality of nearly one hundred on fifty-seven ballots. The convention then adjourned to reassemble in Baltimore on June 18th. Meanwhile the seceders had arranged to meet in Richmond on June 11th.

This was the situation when the second Republican convention was called to order on May 16th. The nomination of Seward seemed assured. Who could hope to compete with the foremost Republican statesman, the great Governor of the greatest State, the one commanding figure standing forth luminously against the background of the new organization? Thurlow Weed, the master of political managers, fully anticipated his nomination on the first bal-

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lot, and when the votes were cast a large plurality, 173½ to 102, did indeed go to Seward. But a clear majority was lacking and on the third ballot Abraham Lincoln was nominated.

Why? The result at Charleston, though not conclusive, had made clear the fact that the Republican candidate must oppose Douglas. Was Seward, the statesman of like class, the man for the undertaking? No; instead, Lincoln the rail-splitter, Lincoln the gaunt and awkward country lawyer, "Old Abe" the story-teller, yet one and the only one whose mettle had been proven in debate with the Little Giant himself—his nomination was decreed and inevitable.

*1864.*—Lincoln was renominated as a matter of course—the man of peace, the lover of concord, the rustic civilian. Instinctively and instantly the Democrats named in opposition General George B. McClellan, the man trained to war, the practised soldier, the accomplished gentleman.

*1868.*—Again a military hero—Grant, named with complete unanimity by the Republicans in May. The Democrats met in July. McClellan was not mentioned, but Hancock stood third on the first ballot. His time, however, was not yet, not against another military chieftain. Tradition forbade. On eighteen of the first twenty-one ballots not a solitary vote was cast for Seymour. Pathetically, when the tide seemed to be turning his way, he beseeched his fellow delegates: "Your candidate I cannot be." But remonstrance was unavailing. The Logic of Circumstance compelled the nomination of the "Peace Governor," the very opposite of Grant; and on the twenty-second ballot not a vote was cast against him.

*1872.*—Grant again! Grant the sturdy, silent, soldier President; Grant the Democrat turned Republican. Against him, Greeley the vociferator, Greeley the genius erratic, Greeley the Republican turned Democrat.

*1876.*—Hayes, the commonplace, the "safe-and-sane" Governor of Ohio, had been designated by the Republicans when the Democrats met in June. Hendricks of Indiana awaited the Democratic nomination. A far stronger, more popular, more appealing statesman than Hayes, his supporters, led by the capable McDonald and aided by powerful Tammany, were more than confident of securing for their favorite the prize. But he, too, was a mid-western Governor; he, too, was prudent, conservative. Tilden, the re-

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former, the radical, was named on the first ballot, and the men from Indiana sat in their seats as if stunned and refused to make the vote unanimous. They felt betrayed when, in fact, only the inevitable had happened.

*1880.* — Garfield was not named as a soldier, but as a statesman. He had become the chief figure in the House of Representatives, had just been elected to the Senate and was reckoned one of the most eloquent and persuasive orators in the land. Bayard was the most fit Democratic candidate, as he was the foremost Democratic statesman and orator, but therein he resembled Garfield. Tradition pointed unerringly to Hancock, graduated of the Military Academy, the " superb soldier " who neither possessed nor assumed to possess any knowledge of public affairs or any capacity for civil government.

*1884.*—Blaine at last—the dashing leader, the experienced statesman, the brilliant orator, the Plumed Knight. Again Bayard was a candidate. But he, too, was a Richard; he, too, had served long in Congress; he, too, was an eloquent speaker. Enter the stolid Cleveland, who then was famed only for common sense and sturdy courage, who uttered platitudes monotonously, who had never served in a legislative assembly, and who had never even visited the National Capitol.

*1888.*—Cleveland renominated! But a different Cleveland. No longer conservative. Now an ardent tariff reformer, almost a free-trader, held to be a radical. Against him Harrison the ultra-conservative, " uncompromisingly in favor of the American system of protection."

*1892.*—Again Harrison *vs.* Cleveland.

*1896.*—For the second time the opposition took the lead. McKinley the good, kindly, patient, painstaking, serious McKinley, was named on the first ballot. Three weeks later the Democrats met in Chicago. The radicals were in full control. Free Silver was the only cry and Bland, the apostle of Free Silver, was regarded as an almost certain winner. But Bland differed little from McKinley. In their upbringing, in temperament, in method, in Congressional service, in previous attitude toward silver, even in manner, they were not unlike. It is commonly said that Bryan won the nomination with a striking speech. But who can tell what would have happened if that oration had not been delivered? It was a convention of radicals seeking a radical

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candidate. Bland could never have satisfied; nor Boies; nor Pattison; nor Campbell; nor any one bearing the slightest resemblance in thought, word, or deed to the prudent McKinley. The nomination of a Bryan was inevitable—predestined by the Logic of Circumstance.

*1900.*—Again Bryan *vs.* McKinley.

*1904.*—Roosevelt had succeeded to the Presidency and had been unable wholly to resist the impulses of his ardent temperament to break away from the traditional policies of his party. Already he was recognized as embodying the spirit of the times which has since been termed progressiveness. He had, in fact, appropriated so many of Bryan's notions that the political inclinations of the two could hardly be contrasted with marked effect. So patent was his tendency that, but for the death of Hanna, the controlling elements of the Republican party would probably have tried to defeat him in the Convention. However, he was nominated without dissent.

Bryan had then been absolute master of the Democratic organization for eight years. He held undisputed control of the National Committee and his great personal popularity had not waned perceptibly. Had a Republican nominee of the McKinley type been designated his power would have been unbroken and he would have named the Democratic candidate. But the nomination of the promising radical, Roosevelt, fixed the outcome of the Democratic convention irresistibly. With all his authority and personal following Bryan could not hold even the one-third essential to the defeat of Parker, whom he had attacked viciously; and the staid and sober judge was named in opposition to the fiery Roosevelt.

*1908.*—Back swung the pendulum. Roosevelt's tempestuous administration was reaching its close. Taft was nominated—Taft the moderate, the pacificator, the judge considerate, patient, kind, the natural and proud successor, as he has since declared, of his prototype, McKinley. The old Republican leaders breathed more freely. After all, the Roosevelt disturbance might prove to have been only an episode.

Such was the condition when the Democratic convention assembled in Denver. Only four years before the conservatives had dominated completely. They still controlled the National Committee. But they were as helpless in the face

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of the Taft nomination as Bryan had been in the face of Roosevelt's candidacy. Again the fetching orator became the standard-bearer of the Democracy and achieved the customary party disaster.

Such the record! In each and every instance the type of opposing candidate, if not the man himself, has been marked by the party making the first declaration. Invariably seemingly coherent certainty has yielded to the greater power of the Logic of Conditions—the irresistible demand of Circumstance for Antithesis.

Therefore, in

*1912* the renomination of Taft will compel the nomination of Wilson in place of Harmon, just as the nomination of La Follette would compel the nomination of Harmon in place of Wilson.

Why?

Obviously but one theme of inquiry demands consideration: Who is the real Antithesis of Taft? Bryan? Yes, as in 1908. But Bryan's races have been run. Gaynor? Yes; but Gaynor is disqualified by Fate. Folk? Yes; but Folk clearly is outclassed. Champ Clark? Theoretically, perhaps, but practically only as a pretty compliment. Dix? The carrier of water upon both shoulders? The upholder of party fealty, on the one hand, and the source of pretexts to bolters on the other? Neither opposite nor apposite is Dix. Remain Harmon and Wilson. Which, we repeat, is the Antithesis of Taft? Unroll the moving portraits. Note the points of similarity and of divergence:

| CHARACTERISTICS | TAFT | HARMON | WILSON |
|---|---|---|---|
| Age in 1913..... | Fifty-five | Sixty-seven | Fifty-six |
| Physique ..... | Robust, portly | Solid, heavy | Lithe, sinewy |
| Environment ..... | Mid-west | Mid-west | South, East |
| Habitation ..... | Ohio | Ohio | New Jersey |
| Ancestry ..... | English | English | Scotch-Irish |
| Religion ..... | Unitarian | Baptist | Presbyterian |
| Recreation ..... | Golf to excess | Golf in moderation | Golf at minimum |
| Temperament ..... | Prudent | Cautious | Daring |
| Manner ..... | Genial | Serious | Graceful |
| Address ..... | Winning | Friendly | Charming |
| Nature ..... | Grateful | Appreciative | Just |
| Grain ..... | Compassionate | Stoical | Tenacious |
| Temper ..... | Sweet, mellow | Cool, controlled | Quick, zealous |
| Intellect ..... | Capacious | Plodding | Keen, imaginative |
| Knowledge ..... | Wide | Restricted | Profound |
| Mental attitude ... | Tolerant | Considerate | Self-reliant |
| Disposition ..... | Conciliatory | Steadfast | Uncompromising |
| Expression ..... | Earnest, pleasing | Commonplace | Eloquent, persuasive |
| Diction ..... | Fair | Ordinary | Fine |
| As lawyers ..... | Judicial | Essentially sound | Analytical |
| Politics ..... | McKinley Republican | Cleveland Democrat | Tilden Democrat |
| Political purpose... | Steady progression | Stability | Reform |
| Political tendency... | Mildly progressive | Conservative | Intelligently radical |
| Political character.. | Pure | Strong | Luminous |
| Political convictions | Constant | Firm | Immovable |

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In but one essential particular—that of age—is marked a greater dissimilarity between Taft and Harmon than between Taft and Wilson; and that seriously to Harmon's disadvantage, in view of the facts that the average age of Presidents at inauguration has been only fifty-three and that of the three elected when more than sixty-four two died within the year.

The contrast is complete, conclusive; the evidence overwhelming. The finger of Predestination, guided by Logic, Circumstance, Conditions, and History, points unerringly to Woodrow Wilson, Democrat, as the opponent of William H. Taft, Republican, in 1912. Blessed Columbia!

THE EDITOR.

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# CONSTITUTIONAL MORALITY *

BY WILLIAM D. GUTHRIE

THE title and the text of this article were taken from Grote's *History of Greece*. The historian, reviewing the state of the Athenian Democracy in the age of Kleisthenes, points out that it became necessary at that time to create in the multitude, and through them to force upon the leading men, the rare and difficult sentiment which he termed constitutional morality. He shows that the essence of this sentiment is self-imposed restraint, that few sentiments are more difficult to establish in a community, and that its diffusion, not merely among the majority, but throughout all classes, is the indispensable condition of a government at once free, stable, and peaceable. Whoever has pondered the history of Athens well knows that the Grecian Democracy was ultimately overthrown, not by the spears of conquerors, but through the disregard of constitutional morality by her own citizens.

We American lawyers would be blind, indeed, if we did not recognize that there is at the present time a growing tendency throughout the country to disregard constitutional morality. On all sides we find impatience with constitutional restraints, manifesting itself in many forms and under many pretenses, and particularly with the action of the courts in protecting the individual and the minority against unconstitutional enactments favoring one class at the expense of another. However worded and however concealed under professions of social reform or social justice, the underlying spirit in many instances is one of impatience with any rule of law.

Again we are meeting the oldest and the strongest political plea of the demagogue, so often shown to be the most fal-

* An address delivered before the Pennsylvania State Bar Association at its annual meeting, Cape May, June 25, 1912.

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lacious and dangerous doctrine that has ever appeared among men, that the people are infallible and can do no wrong, that their cry must be taken as the voice of God, and that whatever at any time seems to be the will of the majority, however ignorant and prejudiced, must be accepted as gospel. The principal political battle-cry to-day seems to be that, if the people are fit to rule themselves, they no longer need any checks or restraints, that the constitutional form of government under which we have lived and prospered is a failure, that it is facing a crisis, and that we should adopt a pure democracy and leave to the majority the decision of every question of government or legislation and the power to enforce its will immediately without any restraint.

The necessary limits of space confine this discussion to the aspect of constitutional morality which is presented by the present agitation against the judicial power as exercised under our constitutions. It is the most dangerous of all the lines of attack. Other aspects not now to be considered are equally vital and interesting, such as the movement for the recall of judges and judicial decisions and the growing practice, on the part of legislatures and executives, to abdicate the consideration of constitutional questions and leave them to the courts, thus casting upon the judges the sole responsibility and frequently the odium and unpopularity of enforcing constitutional restraints.

Few of us, one assumes, would seriously suggest that the judicial department is to be above criticism, or is to be deemed so sacrosanct that we must bow and submit in silence to whatever the courts declare to be law without the right of challenge, criticism, or censure. Such a view would be absurd. Of course, judges make mistakes as the wisest and best of men make mistakes, and no one claims infallibility for them. There must be the fullest liberty of criticism and, if need be, of censure of our judges. Our judicial system is inherently sound enough and strong enough to withstand and survive criticism. Fair and just criticism would be distinctly educational and could not but restore the courts to public favor and confidence. The danger is not in liberal criticism, but in unfair and unfounded criticism supported by distorted or false statements. We should encourage the fullest discussion of judicial decisions in constitutional cases in order that thereby constitutional principles may be ex-

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plained and the necessity for the observance of constitutional morality brought home to the people. We need only insist that the truth be stated.

The people are now being taught on all sides that the courts have deliberately usurped the power to declare void a statute in conflict with the Constitution, and are told that such power was never intended to be conferred by the framers of national and State constitutions. Yet it must be manifest that if the courts may not adjudge invalid and refuse to give force and effect to unconstitutional enactments, it is of no use to declare in our constitutions that legislatures shall not pass bills of attainder, or *ex post facto* laws, or laws abridging the freedom of speech, or of the press, or prohibiting the free exercise of religion, or denying the right to trial by jury, or imprisoning without trial, or suspending the writ of *habeas corpus,* or confiscating private property.

It is fit and important to bear in mind that although the decision of the Supreme Court adjudging the power and duty of the courts to construe constitutions and to refuse to enforce unconstitutional enactments was made in 1803, and although the National Constitution has been amended four times since that date, and although every State constitution has been again and again remodeled and amended, no attempt has ever been made to deny to the courts the power to construe constitutional limitations and the duty to refuse to enforce statutes in conflict with them. Moreover, the Constitution of the United Statese would never have been adopted if the people had understood, as is now pretended, that the Congress was to be at liberty to disregard constitutional limitations and guaranties, and that there would be no way whatever of remedying a violation by Congress of the constitutional rights of the individual except at the polls. Every student of our history knows that the Constitution was only accepted by the people upon the distinct pledge that amendments embodying a bill of rights to protect the individual against Congress would be immediately submitted, and that one of the first acts of the First Congress in September, 1789, was to submit the first ten amendments known as the Federal Bill of Rights, which were thereupon ratified by the States and became an integral part of the Constitution.

If the power to declare void any statute in conflict with

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the Constitution of the United States was deemed necessary in 1788 when Hamilton was writing his famous essays, and in 1803 when Marshall announced the unanimous opinion of the Supreme Court, it is far more necessary in our day of multiform legislation, of vast increase in the functions of the State, and of incompetent, reckless, and oppressive class legislation interfering in almost every conceivable manner with the rights and liberties of the individual. It is no exaggeration to say that were the courts to be no longer empowered to protect litigants who invoke constitutional guaranties for their protection, and were they now to be compelled to enforce, as valid laws, statutes which violate the limitations upon legislative power which the people have deliberately embodied in the fundamental law, our constitutions would then become useless and dead letters, and we might as well turn to the pure democracy of Greece and await her fate.

In an inspiring address delivered this year before the New York State Bar Association on the subject of judicial decisions and public feelings, Senator Root said that

"a sovereign people which declares that all men have certain inalienable rights, and imposes upon itself the great impersonal rules of conduct deemed necessary for the preservation of those rights, and at the same time declares that it will disregard those rules whenever, in any particular case, it is the wish of a majority of its voters to do so, establishes as complete a contradiction to the fundamental principles of our government as it is possible to conceive. It abandons absolutely the conception of a justice which is above majorities, of a right in the weak which the strong are bound to respect. It denies the vital truth taught by religion and realized in the hard experience of mankind, and which has inspired every constitution America has produced and every great declaration for human freedom since Magna Charta—the truth that human nature needs to distrust its own impulses and passions, and to establish for its own control the restraining and guiding influence of declared principles of action."

When our form of government is compared with that of other countries, and we are told that in England or in France or elsewhere such and such a measure has been forced into operation by the will of the majority, and that the courts there are powerless to interfere, is it intended to be seriously suggested to the people of the United States that they should, therefore, cast aside all constitutional restraints, all our ancient and honest juridical principles, as Burke calls them, and leave the protection of their life, liberty, and property wholly in the hands of the executive and legislative

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branches? Are there not still certain rights which even those who are assailing our institutions, under the protection of the very Constitution they deride, would want to have protected by our courts? When it is urged that the courts should not have power to declare an act unconstitutional, but should be compelled to enforce all legislative enactments although conflicting with the Constitution, is it appreciated that the Bill of Rights would then be left to the arbitrary discretion or caprice of the executive or the legislature, and be of no more practical protection to the individual than the paper constitutions of Haiti and some of the South-American republics? Is it forgotten or overlooked that in England and France and all the other countries with which our governments are being compared, the legislative power is supreme, and that it can outlaw or disseize or imprison at mere will, that it can deny religious liberty, abridge the freedom of speech or of the press, pass bills of attainder and *ex post facto* laws, suspend the writ of *habeas corpus,* impose cruel and unusual punishments, deny the individual accused of crime the right to a jury trial or any hearing at all, confiscate private property without compensation, impair the obligation of contracts? Suppose that Congress or a State legislature saw fit to make a man a criminal who did not profess the religion of the majority, or observe its forms and tenets, or suppose the individual were imprisoned by legislative edict without hearing or trial. Who could then protect him against such tyrannical enactments except the courts, and how could the courts shield him save by declaring the statute unconstitutional and void and refusing to enforce it? We have only to go back a few generations to find just such laws, and it is the repetition of them that our constitutions seek to prevent. Suppose again that Congress or a legislature should pass a statute abridging the freedom of speech or of the press, and making those who violated the statute subject to criminal prosecution and imprisonment. How could the individual be then protected except by the judiciary, and how could the judiciary have authority to do so save under the power to declare the statute unconstitutional?

Do the agitators who are assailing our constitutional system explain to their listeners that in the foreign governments, with which they are making comparisons, the legislative power could compel workmen in any trade to work

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as many hours a day, at such rates of wages, and under such conditions as the majority saw fit to enact? Suppose that the Pennsylvania Legislature passed a statute compelling laborers in coal-mines to labor twelve or more hours a day for a compensation fixed by it and providing that refusal should constitute a crime. Or similarly in the case of railroad employees. In doing so the legislature would find a precedent in the famous English Statute of Laborers and innumerable other European enactments. Have we not this year witnessed the passage in England of a minimum wage law? Suppose that the Pennsylvania Legislature passed an Act, similar to that enacted by the British Parliament in 1720 and again in 1800, making it a crime for laborers to agree or combine to obtain an advance of wages or lessen or alter their hours of work. Is it inconceivable that the time may come when the majority in Pennsylvania might fancy that it was to their interest thus to regulate miners in coal-fields and workmen operating railroads, both of which industries serve every household in the State, affect every individual, rich or poor, and, as it were, compel all of us to pay tribute? May not prejudice and self-interest tempt to such a statute, and might not the majority enact it, particularly if those affected were aliens without political power? Is it inconceivable that the owners of the coal-mines and the railroads might some day control a majority in the legislature? And yet how could these miners and railroad employees and others be protected from such an enactment save through the power of the courts to declare that the statute was unconstitutional and to refuse to enforce it because depriving the individual of his liberty and property rights?

The superficial answer to these suggestions in nine cases out of ten by those who to-day are assailing the judicial department would undoubtedly be that no one intends to go to such an extreme, and that no one wishes to be placed or to place any one else entirely at the mercy of the legislature. Thus, they seem to concede that some rights should be safeguarded by the courts. But does not this answer contain the gist of the whole problem and the whole principle and virtue of the American system of constitutional government and constitutional restraints? If the critics of our system would have some rights, and particularly their own, protected by the courts, must they not then confess that in truth

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they only wish changes so far as the rights of others are concerned, but would cling to the Constitution and invoke the protection of the judicial power in all those respects in which their own personal liberty and their own property rights are concerned? As Chief Judge Cullen, of the New York Court of Appeals, recently said.

"The great misfortune of the day is the mania for regulating all human conduct by statute from responsibility for which few are exempt, since many of our most intelligent and highly educated citizens, who resent as paternalism and socialism legislative interference with affairs in which they are interested, are most persistent in the attempt to regulate by law the conduct of others."

If we could have an exhaustive debate before a great tribunal of American public opinion and could step by step analyze and sift the arguments against the judges, doubtless we would find in the final analysis that those who are so fiercely charging them with usurping the prerogative of refusing to enforce unconstitutional enactments, would still want the continued protection of the courts so far as their own rights and liberties were concerned, and were only asking modification and curtailment in respect of the rights and liberties of others. I am confident that if it could be left to-morrow to the people of the United States to determine by their votes and in their sober second thought the simple question whether they would place in the hands of Congress or of their State legislatures the inalienable rights which every American citizen now enjoys, the rights proclaimed in the Declaration of Independence, an overwhelming vote would be cast against any change. Indeed, support for this conviction may be found in the recent experience of Australia, the hotbed of radicalism. An attempt by constitutional amendment to curtail the power of the judiciary in labor controversies and to confer upon the Australian Parliament all power necessary to deal with labor matters, was there the subject of a referendum, and met with a decisive defeat at the polls. Are we to be less conservative than the Australians, and are we less regardful of constitutional restraints?

It is purposed to discuss, in a manner unavoidably brief and incomplete, a few examples of alleged abuse of judicial power, and to endeavor to show the characteristics of much of the criticism and how the courts are being constantly misrepresented to the people.

The case in the New York courts which perhaps is being

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more criticized and misrepresented than any other is known as the Tenement House Tobacco Case (matter of Jacobs), decided in January, 1885. The courts then held unconstitutional an Act which forbade the manufacture of tobacco in certain tenement houses in New York and Brooklyn. The statute was an attempt, on the part of the owners of large tobacco factories, to destroy the competition of cigar manufacturers who worked at home; it was not an honest health measure at all; it was not, in fact, designed to protect the health of tobacco-workers, and it did not contain a single provision tending in any degree to secure sanitary conditions of work or living. Not one word, in the opinions of the courts in this Jacobs case, prevented the legislature from adopting regulations to secure wholesome conditions in the manufacture of any article. Since that decision the New York Constitution has been carefully revised by a constitutional convention in 1894 and has been repeatedly amended by nineteen separate amendments adopted by the people, while a large number of additional proposed amendments have been rejected, but in neither the revision nor in any of the amendments, whether adopted or rejected, was any change suggested in the rule of constitutional law declared in that case, although the subject was directly called to the attention of the convention. For more than a quarter of a century the people of the State of New York have acquiesced in the decision of the Court of Appeals as fair, just, and satisfactory.

Jacobs lived in a healthy neighborhood in the city of New York, occupied a sanitary, well-ventilated apartment consisting of seven rooms, and carried on his trade of manufacturing tobacco in a room separated from the sleeping and cooking rooms, in which latter rooms the testimony showed there was no odor of tobacco. The conditions under which he was carrying on his trade for the support of himself and his family were infinitely healthier than if he and his assistants had been compelled to go to a crowded factory, particularly in 1884, when there were no such sanitary conditions as now prevail in factories under the operation of our subsequent Public Health and Labor Laws. The Board of Health of the city of New York had officially declared to the legislature, after careful investigation, as set forth in Mr. Evarts's brief, then the leader of the American bar, "that the health of the tenement-house population is not



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jeopardized by the manufacture of cigars in those houses; that this bill is not a sanitary measure, and that it has not been approved by this board." It also appeared from this brief that while the death-rate in the city of New York generally was 31 in each 1,000, it was only 9 in each 1,000 in the tenement houses where cigars were being manufactured. It was further shown that when this legislation was enacted 840,000,000 cigars were being manufactured annually in the city of New York, of which about 370,000,000, or 44 per cent., were made in the homes of dwellers in tenement or apartment houses, and that about two thousand artisans were supporting themselves and their families by thus working at home. The Act, if valid and enforceable, would have crushed this competition with the tobacco factories; it would have deprived the tenement-house dweller of the liberty to exercise his trade of cigar-making at home even under the most sanitary conditions, and it would have driven every such workman into the crowded factories to be harassed and oppressed by strikes and lockouts and the other troubles which attend modern labor conditions, to say nothing of being exposed to all the mischiefs, physical and moral, that are inseparable from crowded workshops. The court held that the statute was not a legitimate health regulation and released Jacobs from imprisonment. The principle of constitutional law recognized and applied was that an individual cannot be made a criminal for working at a lawful trade in his own home, and cannot be compelled by discriminatory legislation to labor in a crowded factory. If the principle of the Act had not been declared to be in conflict with the constitutional guaranty of personal liberty, similar statutes could have been passed with respect to all kinds of home work, and all artisans could have been driven into factories at the dictation of factory-owners or trade-unions having sufficient political influence to secure the necessary legislation.

In the Jacobs case, Presiding-Justice Noah Davis, speaking for the intermediate Appellate Court sitting in the city of New York and undoubtedly acquainted with conditions then and there existing, used the following language:

"A careful study of the Act has satisfied us that its aim was not 'to improve the public health by prohibiting the manufacture of cigars and preparation of tobacco in any form in tenement houses in certain cases, and regulating the use of tenement houses in certain cases' as declared in the title, but to suppress and restrain such manufacture in the cases covered by the Act for the purpose of preventing successful competition

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injurious to other modes of manufacturing the same articles. . . . If the Act were general and aimed at all tenement houses, and prohibited for sanitary reasons the manufacture of cigars and tobacco in all such buildings, or if it prohibited such manufacture in the living-rooms of all tenants, another case would be presented. But in the form in which it comes before us, it is so unjust in its inequality, so harsh and oppressive upon the labor of poverty, so keenly discriminative in favor of the stronger classes engaged in the same occupation, that it certainly ought not to have been enacted; but, being enacted, ought to be held invalid because it deprives the appellant of his right and liberty to use his occupation in his own house for the support of himself and family, and takes away the value of his labor, which is his property protected by the Constitution equally as though it were in lands or money without due process of law."

Discussing this decision, Mr. P. Tecumseh Sherman, of the New York Bar, who is perhaps the best-informed man in the State upon the subject of labor conditions and legislation and a former State Commissioner of Labor, said, in an article published a few weeks ago, that the statute in the Jacobs case, although purporting to be for the public health, was not a reasonable regulation for that purpose, because it arbitrarily selected one article and forbade its manufacture under certain conditions not generally unsanitary, and he pointedly added that "as matter of fact, the Act was not designed to protect health, but to put out of business one set of competitors in a trade war."

It is worthy of attention to note two samples of the manner in which this decision is being criticized. In an address delivered at Yale University recently the Mayor of the city of New York referred to this case in the following language:

"The first case I shall call your attention to is known in my own State as the tenement-house tobacco case. . . You know what a condensed population we have in a part of the city of New York. Well, benevolent men and women in going around there found in little rooms in these crowded tenements certain things being manufactured that were not wholesome. They found tobacco being manufactured into its various products in the living-rooms of these poor tenements. Benevolent people who helped the poor saw it and they saw the evils of it. They saw little children born into this world and brought up in bedrooms and kitchens in the fumes and odors of tobacco. They also saw longer hours of work than would be the case if workers left their work at the shop and went home. So they went to the legislature and got a law passed forbidding the manufacture of tobacco in the living-rooms of these tenements."

He then proceeds to ridicule the court for its decision.

The fact, however, was that the promoters of this legislation were not the benevolent men and women who visit and help the poor, as Mayor Gaynor imagined, but the

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owners of tobacco factories who desired to crush the competition of independent workers. There was absolutely nothing in the case to support his statement that any one had ever seen "little children born into this world and brought up in bedrooms and kitchens in the fumes and odors of tobacco." No such conditions were before the courts. But even if true the decision in this case did not in any way whatever prevent proper legislation prohibiting the manufacture of tobacco in the bedrooms and kitchens of crowded tenement houses or under unsanitary conditions.

Mr. Roosevelt is reported as having said in one of his speeches that "the decision of the court in this case retarded by at least twenty years the work of tenement reform and was directly responsible for causing hundreds of thousands of American citizens now alive to be brought up under conditions of reeking filth and squalor, which measurably decreased their chance of turning out to be good citizens." Yet the truth is that this decision did not retard tenement-house reform by a single day. This reform has been accomplished in New York by subsequent laws without any amendment of the State constitution. Our Public Health and Labor Laws now regulate the manufacture of tobacco and other articles in homes and require and secure sanitary conditions, and permits for manufacture at home are now issued subject to cancelation at any time if the surroundings should become unsanitary.

Mr. Sherman characterizes as absurd the statement made by Mr. Roosevelt in regard to the effect of this decision and adds that

> "so far, then, from having done harm in the way of sanitary reform, the decision in the Jacobs case has done good by giving the reform a proper direction and object. Mr. Roosevelt's criticism receives a ready chorus of approval from a large body of ill-informed reformers who seek to prevent some of the evils of 'sweating' by arbitrarily forbidding all home manufacture in tenements. But the vast majority of tenement houses in New York are of a class better described as apartment-houses, which are perfectly sanitary, and in such houses there is much home work of a good kind, such as fine sewing, art-work, etc., and under good conditions; and it would be a deplorable and unnecessary interference with liberty to forbid such work as an incident to the prevention of home work in unsanitary slums."

Another New York case which is being similarly criticized and misrepresented, although the decision declaring the statute unconstitutional was that of the Supreme Court

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of the United States and not of the New York Court of Appeals (in fact, it sustained the Act, although by a divided court), is what is known as the Bakers case, People *v.* Lockner. Mayor Gaynor explained this decision to the law students at Yale in the following language:

> "The next case in order was the bake-oven case in my State. A bake-oven, you know, is underground. And if any of you ever were in a bake-oven I do not need to say another word about bake-ovens. It is the hottest and most uncomfortable place on the face of the earth. It is a hard place to work in. It is hot and unhealthy, and no one can stand it without injury to health. So in the same way in the State of New York we had an Act passed prescribing sanitary regulations for the bakeries. . . . These bake-ovens are exceptional. They are underground and as hot as Tophet, if I may use such an expression here. . . . The law was passed prescribing regulations for them. One of the regulations was that ten hours a night was all that a baker should work in these places."

And Mr. Roosevelt is reported in the newspapers as saying that this New York law prevented the employment of men in filthy cellar bakeries for longer than ten hours a day, but that the courts held it unconstitutional.

The actual truth in regard to the case should be briefly stated. Lochner owned a bakery at Utica in which he worked himself and employed three or four workmen. There was only one oven and it was aboveground. The building was exceptionally well ventilated and sanitary. It was, in fact, a model modern bakery. The statute applied to manufacturers of bread, biscuits, and confectionery. It, together with the then existing Public Health Law, contained adequate provisions to secure the best conditions of sanitation and ventilation and to safeguard bakers from the effects of heat or of breathing flour or other particles. There was no distinction drawn in the Act between sanitary and unsanitary conditions of work. The power of the legislature to prevent the manufacture of bread or other articles of food in cellars or in underground bake-ovens or in filthy and unsanitary places, whether above or below ground, was not questioned. None of the provisions of the Act tending to secure sanitary conditions were interfered with or set aside by the courts, and they have ever since been enforced as valid for all purposes. The Act was not confined in its operation to workmen compelled to labor at night underground, but applied to every one employed in factories in which bread, biscuits, or confectionery was manufactured. No one who has studied the decisions of the New York courts

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and of the Supreme Court of the United States can doubt that every provision reasonably tending to protect the health of bakers and other workmen and to prevent labor under unwholesome conditions would be sustained as clearly within the police power of the legislature. The only question before the courts was whether Lochner could be made a criminal and imprisoned for permitting his workmen to labor more than ten hours in any day under the most approved sanitary conditions, and the Supreme Court held that this could not be done without violating his constitutional rights. The Act was one-sided and discriminatory in that it made the employer a criminal but left the workman free to do as he saw fit. A baker working for A for ten hours in one day was left at liberty to go next door to B, A's competitor, and work, if he saw fit, another ten hours for B. In fact, as I am told, the informer, on whose testimony Lochner was convicted, frequently worked ten hours a day for Lochner and a number of hours additional in another bakery. This singular provision was dictated by the spirit of class legislation in its worst form—namely, that of using the criminal law to effect an illicit purpose, the object being to coerce and punish the employer, but leave the workmen and members of trade-unions free to violate the spirit of the law. If the Act had been honestly conceived in a desire to safeguard the health of bakers, it would, of course, have provided some punishment for any violation of the law by them and not have left them at liberty to disregard its spirit whenever they pleased.

It is true that medical authorities were cited to the courts in support of the view that the trade of bakers was injurious to health, but such authorities were based upon statistics gathered under conditions of labor which could not have existed then and cannot exist now in New York if the elaborate regulations of our Public Health and Labor Laws be duly enforced. There were, however, conflicting medical authorities asserting that the trade was not unwholesome. It is not at all surprising, therefore, that the Supreme Court of the United States held that the hours of labor of bakers could not be regulated in the manner attempted by this statute so long as the Fourteenth Amendment denied the power to every State of depriving employers or workmen of the liberty to fix by agreement the hours of labor in employments not necessarily or exceptionally dangerous or

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unhealthy. Had the conditions of labor in bread, biscuit, or confectionery factories in the State of New York been shown to have been unusually dangerous and unhealthy, we cannot doubt that the law would have been sustained as was the Utah miners' Act in Holden *v.* Hardy.

The principle involved in this Bakers' Case was universal, and if employers in bread, biscuit, or confectionery factories could be prevented from permitting their workmen to labor more than ten hours in any one day the legislature could enact similar legislation as to every other employment. No court would then have power to regulate the degree of the exercise of legislative discretion in such cases, and the provision, which to-day is ten hours, could be made eight hours to-morrow and six hours the day after, as was advocated in More's Utopia.

In February of this year Mr. Roosevelt delivered an address before the Ohio Constitutional Convention in which he criticized the decision of the Supreme Court of the United States in the Employers' Liability cases decided while he was President. The court then held that the Act of Congress of June 11, 1906, sometimes erroneously called the National Workmen's Compensation Act, attempted to regulate the internal affairs of the several States as well as interstate commerce, that it therefore included a subject not within the constitutional power of Congress, and that the two matters were so interblended that they were incapable of separation unless the court made a new statute in the place of the one enacted by Congress. Conscientiously entertaining this view, the majority of the court would have been guilty of the plainest constitutional immorality if they had not declared that the Act was beyond the power of Congress and declined to enforce it. No honest men, believing as the majority did, could have done otherwise than obey the constitutional mandate expressly reserving to the States all powers not delegated to the nation. In the light of the long-established and wise rule that courts should avoid revising legislation or giving effect to a statute in a manner not clearly intended by the legislative body, they would have been unfit for their high office if they had nevertheless upheld the law simply because the individual cases before them excited their sympathy. The remedy was obvious and simple. Congress was then in session and an amended statute could have been enacted within a few days so as to limit

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the Act to interstate commerce, which alone was within the constitutional power of Congress to regulate. Such an Act was enacted after the lapse of three months, and being plainly confined to interstate commerce, as the original statute should have been if properly and competently drafted, it was unanimously sustained by the Supreme Court as constitutional in the Second Employers' Liability cases decided this year, when it was held that Congress had power to change the common-law rules as to assumption of risk, contributory negligence and fellow-servants' acts in connection with the regulation of interstate commerce. Speaking of the former decision, Mr. Roosevelt said:

"When I was President we passed a National Workmen's Compensation Act. Under it a railway man named Howard, I think, was killed in Tennessee, and his widow sued for damages. Congress had done all it could to provide the right, but the court stepped in and decreed that Congress had failed. Three of the judges took the extreme position that there was no way in which Congress could act to secure the helpless widow and children against suffering, and that the man's blood and the blood of all similar men when spilled should forever cry aloud in vain for justice. This seems a strong statement, but it is far less strong than the actual facts; and I have difficulty in making the statement with any degree of moderation. The nine justices of the Supreme Court on this question split into five fragments. One man, Justice Moody, in his opinion stated the case in its broadest way and demanded justice for Howard, on grounds that would have meant that in all similar cases thereafter justice and not injustice should be done. Yet the court, by a majority of one, decided as I do not for one moment believe the court would now decide, and not only perpetuated a lamentable injustice in the case of the man himself, but set a standard of injustice for all similar cases. Here again I ask you not to think of mere legal formalism, but to think of the great immutable principles of justice, the great immutable principles of right and wrong, and to ponder what it means to men dependent for their livelihood, and to the women and children dependent upon these men, when the courts of the land deny them the justice to which they are entitled."

Now if this kind of argument means anything it certainly means that in the opinion of the speaker the justices of the Supreme Court should have disregarded the Constitution as they understood it and should have allowed the widow to recover, notwithstanding the unconstitutionality of the act. Not one word will be found of reference by Mr. Roosevelt in this whole address to the only point upon which the majority speaking by Mr. Justice White decided the cases. Of course the statement of what was actually decided would have been tame and unsensational. Yet the criticism in form and substance is based upon a distorted and unfair statement of

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what was decided, and it was calculated to create in the minds of the members of the Ohio Constitutional Convention as well as the uninformed public the belief that the justices of the Supreme Court of the United States had been guilty of perpetrating a lamentable injustice and had denied to Congress the power to pass a fair and just employers' liability statute properly limited to interstate commerce.

Another sample of criticism of judicial decisions will be found in the same address. It related to the decision of the New York Court of Appeals in the case of Ives *v.* South Buffalo Railway Company decided last year, in which the court held that a statute concededly novel and revolutionary, creating liability on the part of an employer to his workmen, although the employer was free from all fault and had neglected no duty of care, supervision or selection, was unconstitutional because taking the property of the employer and giving it to the workman without due process of law. Ives was a brakeman employed by the defendant railway company. While walking on the top of cars in a very long train, he gave a signal to the engineer to close up a space or slack and was thrown to the ground by the resulting jar, concededly without any negligence on the part of the railway company, and apparently through his own carelessness. The injury consisted of a sprained ankle and slight bruises, which kept him from his work for four weeks. There was no claim in the complaint that the injury was in any sense permanent, and as a matter of fact Ives sued for loss of wages during only five weeks. I am informed that the injury was not serious, that Ives resumed his work within four weeks after the injury, having entirely recovered, that he has since been continuously employed by the same company at similar work, and that in no sense whatever was his ability to earn his livelihood impaired.

Let us now turn to the picture drawn by Mr. Roosevelt in describing this case to a constitutional convention:

"I am not thinking of the terminology of the decision, nor of what seem to me the hair-splitting and meticulous arguments elaborately worked out to justify a great and terrible miscarriage of justice. Moreover, I am not thinking only of the sufferers in any given case, but of the tens of thousands of others who suffer because of the way this case was decided. In the New York case, the railway employee who was injured was a man named, I believe, Ives. The court admits that by every moral consideration he was entitled to recover as his due the money that the law intended to give him. Yet the court by its decision forces that man to

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stagger through life maimed, and keeps the money that should be his in the treasury of the company in whose service, as an incident of his regular employment and in the endurance of ordinary risks, he lost the ability to earn his own livelihood. There are thousands of Iveses in this country; thousands of cases such as this come up every year; and while this is true, while the courts deny essential and elementary justice to these men and give to them and the people in exchange for justice a technical and empty formula, it is idle to ask me not to criticize them. As long as injustice is kept thus intrenched by any court, I will protest as *strongly as in me lies against such action.*"

To repeat, as a matter of fact, Ives was not maimed; he was not permanently injured; he was not deprived of the ability to earn his livelihood. Nor did the Court of Appeals admit that by every moral consideration Ives was entitled to recover as his due the money that the law intended to give him. Had that point been before a court of justice, however sympathetic, it is very doubtful whether it could have said that Ives was entitled, by any moral consideration whatever, to compel the railway company to compensate him for the four weeks' loss of wages resulting from no fault on its part, but from his own carelessness. The statement that "the court by its decision forces that man to stagger through life maimed" was, of course, highly calculated to prejudice his hearers and readers against the judges; and it would be difficult to find or indeed conceive of a more unwarranted, if not wanton, disregard of the truth or a more complete misrepresentation of the facts actually before the court.

Another current misrepresentation is that the Supreme Court of the United States in the Second Employers' Liability cases upheld as constitutional a statute of Congress similar to the statute held unconstitutional by the New York Court of Appeals in the Ives case, and the people are being told that the New York courts hold the provision requiring due process of law in the Fourteenth Amendment to mean one thing while the Supreme Court holds the same provision in the Fifth Amendment to mean another. Yet those who will take the trouble to look at the facts will at once perceive that the Act of Congress differed radically from the New York Workmen's Compensation Act in that the Federal statute, although abolishing the rules as to assumption of risk, fellow-servants' acts, and contributory negligence, imposed liability on common carriers by railroad only for "injury or death resulting in whole or in part from the *negligence* of any of the officers, agents, or employees of such

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carrier, or by reason of any defect or insufficiency, *due to its negligence,* in its cars, engines, appliances, machinery, road-bed, works, boats, wharves, or other equipment." On the other hand, the New York statute created liability not in one dangerous employment, such as common carrier by railroad, but in many other employments not necessarily dangerous, and wholly irrespective of negligence or fault on the part of the employer or any officer, agent or employee. There is nothing in the New York decision or in the opinions of the judges which would invalidate a statute similar to the Act of Congress if now enacted by the New York Legislature. The Ives case, far from preventing such a statute, would be an authority in its support.

It is not intended to attempt to force conviction that the decisions of the courts in the particular cases discussed were sound, although from a lawyer's view-point they correctly and wisely applied established principles of constitutional law and constitutional justice. It is simply to plead for fairness and temperance in discussing the decisions of our courts and for the imperative necessity of founding such discussions upon the truth. As Ambassador Bryce politely admonishes us in a recent address: "To counsel you to stick to facts is not to dissuade you from philosophical generalizations, but only to remind you . . . that the generalizations must spring out of the facts, and without the facts are worthless." In other words, a regard for facts, which is but another term for truth, is as indispensable in law and politics as it is in philosophy.

The criticisms of which the above are fair samples must be refuted because they find constant repetition and are deemed to have the authority of very distinguished leaders of public opinion, and they are generally accepted as accurate. Our judges are being assailed on all sides; they cannot defend themselves; the bar at large so far has seemed to be indifferent; a misconception of good taste restrains the counsel engaged in the cases which are criticized; and the people are being misled. Is it not high time that the members of our profession should charge themselves with the duty of putting the facts before the people?

The truth is that our constitutions, national and State, do not stand in the way of any fair and just exercise of what is called the police power; that they do not prevent reasonable regulations tending to protect the health of the com-

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munity; and that they certainly do not prevent the enactment of proper and reasonable factory Acts or proper and reasonable workmen's compensation Acts. The trouble mostly is that the statutes which the courts are compelled to set aside are crudely and hastily drawn and are inherently unreasonable, unfair, and unjust.

But if the people in their sober second thought, after full statement of the facts and explanation of the effect of proposed measures, desire to go further and to vest greater power in our legislatures than they can now exercise, the means are readily within their reach. In New York as in other States, the constitution can be easily amended within two years.

It has become customary to assert that the Federal Constitution is now practically unamendable, when as a matter of fact its amendment does not involve any greater difficulties than were intended or than would seem reasonably necessary, or than, as it seems to me, would be provided if we were now framing a new national Constitution. The prescribed machinery of a vote by two-thirds of both Houses of Congress and ratification by three-fourths of the States simply compels deliberation and prevents hasty action.

The most insidious suggestion that can possibly be made to the people at large is that there is great or insurmountable difficulty in securing amendments to our constitutions, just as misleading and poisonous as it is for them to be told that their desires are being thwarted by the judiciary and that they must accomplish reforms either by coercing the courts or by undermining the foundations of their constitutions. The future contentment of the people requires that they shall feel that our governments, State and Federal, are their governments, that they themselves are ultimately the sovereign power, and that they are at liberty to amend their organic law from time to time as their mature and deliberate judgment shall deem necessary or desirable. All that the conservatives can ask or do ask is that the people shall act deliberately and under circumstances calculated to afford time and opportunity for full explanation and a full understanding of the scope of the proposed changes, so that errors may be discovered and exposed, and so that theorizing, sentimentalism, clamor, and prejudice may exhaust themselves and the sober second thought of every part of the country be asserted. If, then, it be determined to amend our con-

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stitutions even to the extent of placing our lives, our liberties, and our property at the unrestrained discretion and mercy of our legislators, the will of the sovereign people will have to be obeyed. Let us hope and pray, however, that when amendments are adopted they will be conservative and wise, that the rights of the individual as against the majority will not be heedlessly sacrificed for the temporary advantage of one class over another, and that it will be appreciated that individual liberty is the vital concern of every man, rich or poor, and is essential to the perpetuation of the institutions which we cherish as peculiarly and pre-eminently American. Let us especially try to avoid permitting any class to make use of constitutional amendments or of statutory enactments for its own special purposes. Let us strive to ascertain the real motive of those who are fomenting discord or urging remedies for alleged social evils. Let us, while meeting in full sympathy, generosity, and charity the legitimate demands of the laboring classes and the poor and humble, nevertheless keep our eyes open to prevent any such vicious results as would arise from constitutional or statutory provisions framed nominally in the interest of labor, but really for the purpose of serving the interests of a particular class as against another. In the mean time, pending such amendment in the due, orderly, and reasonable course prescribed by our constitutions, let us be faithful and devoted to our organic laws, which have carried us for more than a century through every storm and so often "in spite of false lights on the shore," and let us be truthful and fair and, if possible, temperate in our criticism of all public officials whether legislative, executive, or judicial.

It is the duty of lawyers worthy of the profession, not merely to defend constitutional guaranties before the courts for individual clients, but to teach the people in season and out of season to value and respect the constitutional rights of others, to value and respect the moral principles embodied in our constitutions, to value and respect the rights of person and property, to respect and cherish the institutions we have inherited. What higher duty could engage us than to teach its sacredness and its permanence, in the lofty phrase of the Roman advocate, its eternity, and to preach to all classes the virtue of self-restraint and respect for the rights of others without which there can be no true constitutional morality!

WILLIAM D. GUTHRIE.

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# PANAMA CANAL TRAFFIC AND TOLLS

BY EMORY R. JOHNSON

In levying tolls for the use of the Panama Canal the policy of the United States should be to secure the desired amount of revenue with as little restriction on commerce as possible. The canal should be considered primarily as a commercial highway, and the benefits it may render the industry and trade of the United States and other countries should not be seriously restricted by the tolls imposed upon shipping. It will probably not be the purpose of the United States to secure large profits on its investment in the Panama Canal. Doubtless the revenues collected will be sufficient only to cover operating and maintenance expenses and interest.

This was the position taken by President Taft in his message of the 21st of last December. He then stated that:

> "I believe that the cost of such a Government work as the Panama Canal ought to be imposed gradually but certainly upon the trade which it creates and makes possible. So far as we can, consistent with the development of the world's trade through the canal and the benefit which it was intended to secure to the east and west coastwise trade, we ought to labor to secure from the canal tolls a sufficient amount ultimately to meet the debt which we have assumed and to pay the interest."

How much revenue will the United States need to secure annually to carry out the policy favored by the President? It is estimated that the annual operating and maintenance expenses will be $3,500,000, and that $500,000 more will be required for the government of the zone. The canal will cost the United States $375,000,000, much of which has been or will be borrowed money. At three per cent. the annual interest on this investment will amount to $11,250,000. Thus, in order to carry itself without being a burden upon the general budget, the canal will need to have an annual revenue of $15,250,000.

It is urged by many persons that the United States ought

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not to tax the shipping using the canal to secure revenue to pay the interest on the cost of the canal, it being contended that the policy of the United States, at least as regards American shipping using the Panama Canal, should be the same as is its policy concerning the use of inland waterways to-day, upon which no tolls are charged. Few people advocate the absolutely free use of the Panama Canal, but there are many advocates of tolls that will merely meet operating and maintenance expenses.

It is the writer's opinion that such tolls should be levied as will enable the Panama Canal to carry itself, if it be found, as a result of actual experience, that tolls producing revenues large enough to meet operating, maintenance, and interest charges can be imposed without unduly limiting the usefulness of the canal. The interest and principal of the large investment made in the Panama Canal must be paid from one of two sources: either from the canal revenues or from the general taxes. The general budget of the United States is now subject to large demands. Funds are required for the promotion of the public health, for irrigation and reclamation, and for maintaining the military power and naval prestige of the United States. The present and prospective revenues of the Federal Government do not seem to warrant the United States in constructing at the expense of the general budget and maintaining on a non-revenue basis great public works such as the Panama Canal.

Can an annual revenue of between fifteen and sixteen million dollars be obtained from tolls without unduly restricting the traffic of the Panama Canal? Will it be possible to levy a charge of forty to sixty cents per ton on the cargo carried through the canal without diverting from Panama much of the tonnage that would otherwise make use of the waterway? To answer these questions definitely one must know three things:

1. How much traffic there is available for the use of the Panama Canal if it is not diverted by tolls.

2. What effect tolls will have on preventing commerce from using the canal, and

3. What rate of increase in the traffic using the canal may be expected.

A careful study of the entrances and clearances of vessels as recorded at the ports of the United States and Europe shows that had the Panama Canal been open in 1910 the

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vessels passing through it would have had a total net register tonnage of 8,328,029 tons. The items composing this total tonnage of shipping and the extent to which the canal might have been used by the commerce of the United States and of Europe are indicated in the following brief table:

NET REGISTER TONNAGE OF VESSELS THAT MIGHT HAVE ADVANTAGEOUSLY USED A PANAMA CANAL IN 1909-1910

| | Total entrances. | Total clearances. | Total entrances and clearances. |
|---|---|---|---|
| Europe with western South America | 1,553,887 | 1,594,513 | 3,148,400 |
| Western Central America and Pacific Mexico | 80,788 | 118,714 | 199,502 |
| Pacific United States, British Columbia, and Hawaii | 419,865 | 269,853 | 689,718 |
| Pacific United States *via* Suez Canal | (1) | (1) | 158,000 |
| Oriental countries east of Singapore and Oceania | 618,704 | 555,881 | 1,174,585 |
| Eastern United States coast with western South America, Pacific Mexico, and Hawaii | 300,909 | 166,686 | 467,595 |
| Pacific coast of United States (*via* Cape Horn) | 117,311 | 55,344 | 172,655 |
| Pacific coast of United States and Hawaii (*via* American-Hawaiian S. S. Co.) | 181,713 | 181,713 | 363,426 |
| Oriental countries east of Singapore and Oceania | 600,000 | 900,000 | 1,500,000 |
| Panama traffic | 158,558 | 259,932 | 418,490 |
| Eastern Canada with Alaska, Chile, and Australia | 13,410 | 22,248 | 35,658 |
| Total | 4,045,145 | 4,124,884 | 8,328,029 |

(1) Not separable into entrances and clearances.

The details from which the foregoing table is compiled indicate that the traffic which moved between the two seaboards of the United States *via* Cape Horn, the Isthmus of Panama, and the Isthmus of Tehuantepec during the fiscal year 1910 amounted to but 11.4 per cent. of the total tonnage then available for the use of the Panama Canal. The trade of the United States with foreign countries comprised 32 per cent. of the total available Panama traffic. The importance of the canal to Europe and the west coast of South America is shown by the fact that during 1910 38 per cent. of the total available Panama traffic consisted of commerce between Europe and the west coast of South America. Great Britain's trade with the west coast of South America would

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have accounted for nearly one-sixth of the total traffic of the Panama Canal during that year.

The Panama Canal will be open for merchant shipping during 1914, and it is important to know what the available traffic will be in 1914 and 1915. It is possible to predict, with a fair degree of certainty, the amount of traffic that will be available for the canal in 1914 and 1915 because of an investigation which the writer made as a member of the Isthmian Canal Commission in 1900 and in 1901. At that time it was found, by employing the same methods followed in the recent investigation, that 5,000,000 tons net register of shipping would have made use of the Panama Canal had it been in existence in 1899. The figures in 1910, eleven years later, showed an increase of 66½ per cent., or at the rate of 59 per cent. per decade. If this rate of increase shall prevail up to 1915 ships then passing through the canal will have a total net register tonnage of 10,500,000 tons.

A study of the rate of growth of the commerce of the world as a whole and of the trade of different sections of the world with each other indicates clearly that it is conservative to assume a rate of increase of 59 per cent. per decade in the tonnage of available Panama traffic. The commerce of the United States with non-European countries increased 67½ per cent. during the ten years ending in 1911. The trade of the Atlantic Gulf seaboard of the United States with Pacific countries advanced 63½ per cent., while during the decade ending in 1910 the traffic of the Suez Canal rose 70.26 per cent. above the large figures it had already attained in 1900.

In measuring the available traffic of the canal it is necessary to consider carefully the effect of at least two factors upon the volume of tonnage. The two main factors, other than relative distances *via* the Panama Canal and its competing routes, that may affect the amount of traffic using the canal will be the tolls charged at the canal and the cost of coal *via* Panama and other routes. In studying commerce with reference to its use of the Panama Canal the effect of tolls upon traffic was kept constantly in mind. In fixing tolls it will be desirable to keep the charges below what the traffic will bear, or, more accurately stated, it will be wise not to charge tolls that the traffic will not bear.

The traffic of the Panama Canal may be divided into two parts: (1) that which originates or terminates clearly within



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the zone of the canal's influence—commerce that is certain to use the canal—and (2) that which lies on the border of the canal's sphere of influence, and which may choose between the Panama route and routes through the Straits of Magellan, around the Cape of Good Hope, or by way of Suez. The Panama route will have a monopoly of the traffic of Hawaii and of the west coast of North and South America, with the exception of a small part of the trade of southern Chile, but it so happens that the marginal traffic for which the Panama Canal must compete with other routes is of exceptionally large tonnage and value, comprising the major share of the commerce of Pacific Asia and of Australasia. The ships engaged in the trade of which the Panama route has a monopoly will comprise the larger share of the canal's tonnage, but the marginal traffic is a prize so well worth competing for that it should be given careful consideration in fixing the tolls to be charged at Panama. The volume of traffic and the commercial usefulness of the canal, as well as the revenue obtained from its operation, are dependent upon the transit dues.

The commerce between the central or agricultural portion of Chile and Europe would probably be diverted from the Panama Canal through the Straits of Magellan by tolls of a dollar per ton net register were it not that the vessels engaged in this trade will desire to pass up and down the west coast of South America to engage in the trade at intermediate ports. An even greater advantage which the Panama route will have for shipping engaged in the European-Chilean trade will be the cheaper fuel costs. Vessels taking the Straits of Magellan route from Chile to Europe must purchase large quantities of coal on the east coast of South America at prices fifty per cent. above those that will prevail at Panama and at West-Indian stations. The difference in coal costs by the two routes will be equal to a half, or possibly more than a half, of the canal tolls.

Tolls such as the United States is likely to impose at Panama will hardly prevent the use of the canal by ships en route between the Atlantic Gulf seaboard of the United States and New Zealand and Australia. Wellington will be ten days nearer New York for ten-knot freight-steamers *via* the Panama Canal than by way of the Straits of Magellan, which is the shortest alternative route. Sydney, Australia, will be brought sixteen days nearer New York for such

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vessels *via* the Panama Canal. The saving in time and distance will be so marked that the trade between our eastern seaboard and Australasia is not likely to be diverted from the canal by tolls of a dollar or even somewhat more than a dollar per ton net register.

On the other hand, Europe will trade with Australia mainly by way of the Cape of Good Hope and the Suez Canal. New Zealand is the only section of Australasia whose commerce with Europe may make large use of the Panama Canal. For vessels of the fast type competition for the European-Australasian trade will be between the Panama and Suez canals, while for ordinary freight-vessels the choice of routes will be between the Panama Canal and the Cape of Good Hope. Very little of Europe's trade with Australasia would use the Panama Canal were it not for the fact that practically all vessels out to Australia make the port of Sydney at the eastern end of the continent. The line connecting points equally distant from Liverpool *via* the Panama and Suez routes runs only 150 miles east of Sydney. Thus, it is probable that some share of Australia's commerce with Europe will be handled by the American canal route if the tolls at Panama are kept lower than at Suez.

The Panama and Suez routes will be active rivals in the rich traffic field east and north of Singapore. The line connecting points equally distant from New York by way of the opposing canal routes runs through Hongkong and Manila. To the north and east of those cities the distance and time advantage is with the Panama route for the trade of the eastern seaboard of the United States. To the south and west of Hongkong and Manila the Suez route will have the advantage. There will be some traffic from places north and east of Hongkong and Manila that will be taken to New York and the east coast of the United States by way of Suez. It is equally true that vessels will start from points west of Hongkong and Manila and proceed by way of Panama to New York. There will be an overlapping of routes between Singapore and Yokohama.

For the trade of Europe with the countries east of Singapore the Suez route is much shorter. The line connecting points equally distant from Liverpool *via* Panama and Suez runs 694 miles east of Yokohama. Thus, such traffic as is carried on between Europe and Japan, China or the Philippines, by way of the Panama Canal, will take that route

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either because of lower tolls at Panama than at Suez or because of cheaper coal costs by the American route. If it be possible, the canal tolls may well be so adjusted as to permit the Panama Canal to enter actively into competition for the trade between Europe and the Orient. In 1910 the European entrances and clearances of vessels engaged in the Oriental trade amounted to nearly 12,000,000 net tons. If the Panama Canal can secure 20 or even 10 per cent. of that tonnage its traffic usefulness and its revenues will be appreciably increased.

Several references have been made in the preceding paragraphs to the relative costs of coal *via* the Panama and alternative routes. Excellent steaming-coal is sold at the eastern seaboard of the United States for less than $3 per ton. At the present time the United States Government is paying $4.09½ per ton for Pocahontas and New River coal delivered at the end of the ship's tackle at Colon and Cristobal. It will be possible for the United States Government to sell coal without loss, and possibly with some profit, at the Panama Canal for $5 per ton. The current price of coal at the Suez Canal is over $6 per ton. Coal is cheap in Japan and in South Africa, and is expensive on both the eastern and western coasts of South America and on the western coast of North America. After the opening of the Panama Canal coal can be sold at a reasonable price not only in Carribean stations, but at Pacific stations north and south of the Isthmus of Panama. Without going into detail, it may be said that the Panama route will have decided advantages over the Suez route as regards coal costs. The amount saved may be indicated by a concrete illustration:

In 1911 a freight-vessel of about 3,000 tons net register, British measurement, which made a round trip from New York through the Suez Canal to the Philippines and back, paid $20,868.75 for coal. Had the same vessel been taken through the Panama Canal and *via* San Francisco and Yokohama to Manila and back by the same route its coal bill would have been $18,222.50. The cost by way of Panama would have been $2,646.25 less, or nearly a dollar for each ton of the vessel's net register.

The policy of the United States in fixing tolls at Panama, and in changing them from time to time with reference to traffic and revenue, will be influenced by the rate at which the traffic at Panama increases after the waterway has been

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put in operation. The traffic available for the use of the Panama Canal is increasing at the rate of about 60 per cent. per decade, and it has been assumed that that rate of increase will continue up to 1915. The increase in the tonnage of shipping using the Suez Canal was over 70 per cent. during the decade ending in 1910. How rapidly the traffic of the Panama Canal will develop after the opening of the waterway can, of course, only be conjectured; but the assumption of an increase of 60 per cent. during the first decade, from 1915 to 1925, would unquestionably be conservative, because such an estimate would not take into account the effect which the canal will have in stimulating and accelerating the growth of the commerce it serves. Merchants, shippers, and carriers best qualified to judge are agreed that the trade between the two seaboards of the United States will grow rapidly after the opening of the canal. It is also certain that the commerce between Europe and the west coast of the United States will become much larger because of the shortening of routes effected by the Panama Canal.

It is probable that the traffic using the Panama Canal will increase more than 60 per cent. between 1915 and 1925. If, however, it be assumed that the advance will be but 60 per cent. during that decade the shipping using the Panama Canal will reach 17,000,000 tons net register by 1925. This figure may seem large, but it is, as a matter of fact, less than the present amount of the traffic of the Suez Canal. In fact, the tonnage using the Suez route in 1915 will be in excess of 20,000,000 tons net register, and unless the use of that waterway should increase at a much slower rate than it is now advancing the tonnage of the Suez Canal will equal 35,000,000 tons in 1925.

The coastwise steamship interests and many persons who are unselfish advocates of Government aid to American shipping are urging the United States Government to allow American ships to use the Panama Canal without payment of tolls. It is recognized that the exemption of our shipping engaged in the foreign trade from the payment of Panama tolls would be a violation of the Hay-Pauncefote Treaty. There is a difference of opinion as to whether this and our treaties with other nations than Great Britain make it possible to exempt our coastwise shipping from the payment of Panama tolls. It is probable, however, that the United

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States could pay to American ships using the canal a subsidy equal to the tolls collected for the use of the waterway. The wisdom of this policy is, however, subject to serious question. Our coastwise trade is open only to American ships. The Panama Canal will greatly increase the demand for our vessels, and will thus be of great benefit to the ship-building and coastwise shipping interests. There is need for Government aid to our shipping engaged in the foreign trade, but the exemption or remission of Panama tolls on our shipping registered for the foreign trade would be of no appreciable assistance. On the whole, it would seem wiser for the United States to collect the same tolls from all ships, American or foreign, and to adopt effective measures for the promotion of the American marine.

It is feared by many people that if the railroad companies are permitted to own or control vessels using the Panama Canal it will be difficult or impossible for steamship companies, independent of railroad affiliation, to engage in successful competition with the lines under railroad control. It is apparent that the United States must either prohibit the use of the canal by vessels under railroad control or must so regulate carriers using the Panama Canal as to prevent railroad lines from monopolizing or limiting the traffic carried between our two seaboards. Probably regulation will be wiser than limitation of traffic.

It is imperative that the United States Government should have full knowledge of the relation of rail and water carriers. The business should be carried on publicly and not secretly. Rail and water lines should be required to make physical connection, and should be obliged to exchange traffic with each other without unfair discrimination as between carriers or shippers. It will also be found wise for the Government to keep informed regarding the relation of steamship lines with each other in order to prevent them from combining to restrict services or to raise rates. It will probably not be necessary for the United States Government actually to regulate the rates of steamship lines, but it is, however, advisable for the Government to adopt without delay the policy of requiring publicity in the services and charges of carriers by water as well as of carriers by rail.

EMORY R. JOHNSON.

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# BRAINS VERSUS BAYONETS

BY PERCY STICKNEY GRANT

We have turned over the settlement of industrial and constitutional questions in the United States to a "strong-arm" squad. Instead of deciding economic disputes, as we do political and legal differences, by parliamentary or by judicial machinery, we resort to force. Instead of referring labor controversies to boards of conciliation or to courts of arbitration, we ring up the police, arm bands of private detectives, swear in special deputy sheriffs, call out the militia and organize "vigilantes," who proceed to gag discussion, to arrest labor-leaders, to intimidate strikers, to wound and to kill. Force and free speech are again arrayed.

I am not concerned here to justify the so-called "disturbers of the peace," nor do I wish to denounce the so-called "guardians of the peace." I only point to a dangerous gap in our methods of government, a region of nicest judicial requirement. The police of our great cities are a body of men to be proud of; physically as good as the London police, they are mentally superior. But they are being diverted from their sphere; they are being intrusted with discretionary powers that demand higher military and higher judicial qualities than they can be expected to possess.

The roll-call of notable cases, most of them recent, where billets or bullets or bayonets have been used instead of brains, now includes New York, Lawrence, Kearny, Perth Amboy, Wakefield, in the East; Spokane, Aberdeen, Los Angeles, San Diego, and Chicago in the West.

In Union Square, New York, in the winter after the panic of 1907, the Socialists having been denied the right to hold a meeting in aid of the unemployed, and a crowd incredulous of such a ruling having assembled, the situation was put into the hands of the police. The crowd was trampled by horses, beaten by billets, pursued and terrorized, even before

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a bomb was thrown by an irresponsible fellow who had a grudge against the police.

In Lawrence, Massachusetts, a complicated situation which involved a bankrupt city (whose former Mayor had been jailed for public offenses), 22,000 strikers of over twenty non-English-speaking races and suspicious of the employers who were believed to control the municipal government, was turned over to Assistant Police Marshall Sullivan and Police Judge Mahoney, reinforced by a regiment of the State militia. Many arrests were made and brutality was displayed against citizens, two of whom were killed. The strike-leaders were arrested as accessories or were indicted for complicity. Three of them—Ettor, Giovannitti, and Caruso—are now in prison awaiting trial.

In San Diego, California, a demand by Socialists for free speech led to a reign of terror projected by police and "vigilantes."

Colonel Weinstock, a highly experienced observer of social conditions, appointed special commissioner by the Governor of California to investigate the situation, says in his report:

"The sacred rights of life, liberty, and the pursuit of happiness, guaranteed under the constitution, were trampled under foot by men who, in the name of law and order, proved themselves to be the bitterest enemies of law and order. Your commissioner has visited Russia, and while there has heard many horrible tales of high-handed proceedings and outrageous treatment of innocent people at the hands of the despotic, tyrannic Russia. Your commissioner is frank to confess that when he became satisfied of the truth of the stories, as related by these unfortunate men, it was hard for him to believe that he was still not sojourning in Russia instead of this alleged 'Home of the brave and land of the free.'"

Across the continent in Wakefield, Massachusetts, a police invasion of private rights as flagrant, but not as violent, was bulletined May 18, 1912, on the front page of the Boston *Commons* (not a Socialist or Labor paper, but the last word in non-partisan journalism) in the following terms:

"HOW ANARCHISTS ARE BRED

"The battle for free speech has now forced its way into Massachusetts. In Wakefield, last Sunday, a group of working-men tried to voice a protest against the imprisonment of Ettor and Giovannitti. They hired the G. A. R. Hall, but the chief of police said they couldn't use it. They went to a vacant field and were dispersed. Then they went to a private house."

The police broke up this meeting also and drove the speakers out of the town. As the *Commons* said:

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"Remember! this, like the clubbing of children at Lawrence, didn't happen in Russia, but in Massachusetts."

Another considerable danger from our use of force in labor troubles is due to the amateurishness of our agents. The nervousness of inexperienced police, "specials," detectives, who fear for their own skins more than for the property they are defending, impels them to shoot without sufficient provocation. In the Hastings strike, June 24, 1912,

"about one hundred shots were fired, and practically all of the shooting was done by the police and special deputies, many of whom admitted to newspaper men later in the day that they had become excited because a crowd of strikers and strike sympathizers were throwing stones and were threatening to take a strike leader away from two specials who were hustling him off to jail."

The sheriff of the county, who represents the police power of the State, resented the invasion of detectives from a New York agency and is reported to have said:

"As sheriff of Westchester County I don't propose to let outsiders using rough-rider tactics come in here and get away with it. I am informed that the shooting was entirely without provocation."

Of course the result of this ill-timed and amateur marksmanship is the death of many innocent persons in no way connected with the strike.

The proceedings of the police in the different cities are as much alike as their uniforms. They do not wait for actual disorder, but they excitedly conjecture from a song, a speech, or a flag that something subversive is going to happen, whereupon they start in and clean up the place with billets, horses, and revolvers. When Police Inspector Schmittberger, in Union Square, heard the crowd sing the "Marseillaise" he apparently thought a second French Revolution was under way and let loose his men. Other police go off their heads at the sight of a red flag and charge upon processions that bear them. Others cannot endure the sight of a soap-box with an orator upon it.

To sum up: The police have been encouraged to duplicate on American soil Russian atrocities. They break up meetings, if the theme is uncongenial or unintelligible to them, upon the plea that such meetings create public disturbance; they "beat up" would-be organizers of labor and deny Socialist speakers and I. W. W. speakers the right of free speech; they arrest loiterers, pickets, and leaders in times of strikes when no violence has been committed.

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In detail, they have played the fire-hose on public speakers, women, and infants. They have poured lead into defenseless bodies (in San Diego fourteen bullets were found in one pleader for free speech); they have trampled women with horses and clubbed children; broken up meetings on streets, in fields, in public halls, and private buildings as if they were Cossacks. They have arrested peaceable citizens on frivolous pretenses, as, for instance, street speakers and their audiences, loiterers and strike pickets, on charges of blocking traffic or of disorderly conduct, and they have filled the penitentiaries with them. They have tried to break strikes by imprisoning the leaders on serious charges. They have confiscated reputable newspapers carefully reporting their acts.

Furthermore, conservative citizens have aided and abetted the police in their worst violence. Unofficial bands have snatched prisoners, whose only crime was free speech, from the waiting hands of public officials; forced them to run the gauntlet, a form of punishment revived from the Stone Age; stripped them naked; covered them with tar; escorted them out of the cities and turned them over to the mercies of the desert.

One of the deep-rooted grievances of honest working-people is that during strikes, in order to clear the streets, police magistrates will accept the unsubstantiated testimony of the police against prisoners who have been arrested upon charges of vagrancy or of disorderly conduct, etc., and that these judges "railroad" troublesome pickets or labor-leaders to jail. In this way the police and the courts act together and judicial position becomes merely accessory force; that is to say, it does not perform the function of sifting evidence and securing justice; it is only another heavy hand pushing the working-man or labor-leader to prison.

The number of working-men fined or imprisoned on these counts is so large that this abuse alone has spread among them a personal complaint against our courts. At a meeting of self-respecting working-people a great laugh was raised at the number of hands shown when some one asked how many of those present, women as well as men, had ever been in jail. "A man arrested is a man guilty," says Carl Hovey, "according to a regulation and perfectly sincere police feeling everywhere." Unjustifiable arrest is, then, a

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very terrible thing to happen to citizens in a republic. It disenfranchises them mentally and creates in them an antagonism to the State in which they seem to have no rights.

The working-man sees, too, in this extension of police jurisdiction another evidence that the master class is adding to its arbitrary power. The opposition of working-men to injunction proceedings is largely fear of this arbitrary power. For the injunction not only stops intended action, but it throws further proceedings (contempt proceedings, so called) into a court without a jury. Easy riddance of troublesome and successful officers of the labor army in a time of strife is so congenial to the employers that the judges are naturally accused of collusion with them.

A recent review of labor decisions in Massachusetts courts finds labor unsustained and friendless. Just now there is a feeling among those who watch the labor situation in that State that Ettor and Giovannitti are to be convicted of murder. The argument is that Ettor incited strikers, that violence is essential to a strike, and that the spokesmen are consequently responsible for what happened. The Boston *Commons,* May 25, 1912, contains the following:

"Most I. W. W. men" (Industrial Workers of the World—the syndicalist organization in which Ettor was a leader) "take it for granted that Ettor, Giovannitti, and Caruso will be convicted. They don't look at the court as a place where justice is to be expected. They assume that the will of the rich and powerful will prevail. One of them, a district official, said: 'We fully expect that Ettor will be sent to the chair. The master class are scared. That "One Big Union" has shocked and alarmed them. It is now anything to get its leaders under lock and key and to dispirit the rank and file.'"

A note of warning, however, should be raised. Nobody outside the owners of the Lawrence mills supposes for a moment that Ettor is guilty of the murder of the woman killed by a bullet in a crowd. For him to be adjudged so by a court would be a grim joke to the unconcerned, but it would be a fiery argument against capitalistic courts, hissed endlessly from a thousand rostrums, and a constant incitement among working-people to class hatred. Such a trial and such a verdict would be contrasted with the bayoneting to death of the Remy boy in Lawrence, about which nothing has been done, and with numberless murders of inoffensive persons by "specials," detectives, etc., against which coroners have protested in vain.

There is another consideration: To-day the country is

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too intelligent to sustain judicial murder, even by a Massachusetts court. Colonel Weinstock's question in his report to Governor Johnson is being very generally asked:

"Who are the greater criminals; who are the real violators of the Constitution; who are the real 'undesirables'—these so-called unfortunate members of the 'scum of the earth' or these presumably respectable members of society—*viz.*, the aiders and abetters of police and judicial outrages?"

The Boston newspapers at the time of the Lawrence strike published little that explained the attitude of the strikers, nothing that upheld them. An educated man close to both sides of the situation sent a communication to the liberal Boston papers, but it was not published. After the Wakefield outrage the Boston *Commons* took a poll of the Boston papers. Only one paper mentioned it at all, the *Herald*, and that only to lecture the I. W. W. and "the anarchists." An important San Francisco paper censured the Associated Press for suppressing the news from San Diego.

Another form of suppression is the silence of intellectual leaders. Great intellectual equipments for rational solution of economic problems are not heard from at industrial crises. Harvard College, only twenty-five miles from Lawrence, did not concern itself with the strike except to add a rifle corps to the military contingent. Although the university is especially proud of its many courses in economics, although it contains five or six hundred professors, instructors, etc., although Boston is rich in culture, yet one heard of no committee of professors or of prominent Boston citizens who proffered their services to bring the Lawrence employers and the striking operatives together. Our Eastern universities might well stand closer to the people. Why could not that seat of learning, located on the road where so many Concord and Lexington "minute men" lost their lives in the first conflict of the Revolution, organize companies of intellectual "minute men" to hasten with aid at times of industrial danger?

There seems to be little attempt made by employers in America to understand either the human element or the economic problems involved in the labor movement. The whole matter is "unrest"; the only way out is for capital to stand pat. Mr. Theodore Shonts, President of the Interborough Railroad Company of New York, addressed as follows the students of Drake University, Iowa, June 12, 1912:

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"The spirit of unrest is abroad. It is a universal sign of the times. Nor is it confined to this land alone; it is world-wide. That country is no longer considered the best governed which governs the least. The cry is for universal governmental activity. Whether it be called socialism, collectivism, communism, municipal operation, or government ownership, the result is the same. The community itself must run the individual and provide for his wants, while the individual sinks into a helpless unit, incapable of upholding the stability of the very government which he designs to nourish his common wants."

Members of the State Factory Investigation Committee of New York, whose report has not yet been published, have openly declared from public platforms that "in the factories of the city and State the human element is pretty much forgotten." For instance, little or no attention is paid by employers in the majority of factories to ventilation, hygiene, or fire-escapes.

The Commissioner of Labor, in his report to the Senate upon the Lawrence strike, presented July, 1912, says:

"The average rate of wages for 21,922 textile mill employees was 16 cents per hour. Approximately one-fourth (23.3 per cent.) of the total number earned less than 12 cents an hour; and about one-fifth (20.4 per cent.) earned 20 cents and over per hour."

"Unrest" would seem to have some reason when such labor conditions exist.

In Los Angeles the building trades early in 1910 went out on a strike for an eight-hour day. When the strike had been in progress a few weeks, the labor men wrote a letter to the Merchants and Manufacturers Association asking for a peace conference. No reply was received, but the (Los Angeles) *Times* announced next morning that the communication had been consigned to the waste-paper basket. This began the trouble.

One explanation of this stubbornness among employers is that when the older men studied political economy the "Manchester School" and *laissez-faire* were dominant. The go-as-you-please economic theory, added to the Jeffersonian political principle that the best government is the one that governs least, has shut the minds of many of our successful men to the newer economics with their strong social appeal.

In attempting to destroy trade-unions employers of labor in the United States are behind the industrial experiences of the world. Trade-unionism has, on the whole, made for industrial peace. When strikes are threatened it ought to be simpler for employers to explain their position to one or

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two leaders than to thousands of employees. It is certainly easier in times of strikes to deal with a few representatives of labor than with a mob of workmen. The reply that all labor-leaders are corrupt is not conclusive nor can it be substantiated.

Attacks by the police upon freedom of speech are, of course, contrary to law. Hon. William Dudley Foulke, when an advocate of an unpopular doctrine had been forbidden to speak in Chicago, wrote to the Chicago *Record-Herald* protesting. He said that any one abusing the right of free speech could be punished for it after the offense, but that to forbid a man in advance to speak, on the assumption that he is going to say something illegal, was a clear violation of the Constitution.

"At Dayton, Ohio, Socialist speakers were acquitted by a judge who ruled that the ordinance under which they had been arrested was unconstitutional, since it seeks to make a chief of police a sole guardian of the rights of the people to use public streets for all public purposes except the right of public travel."

The several States of the Union parted with little of their police power in equipping the Federal Government. They now exercise great police power through cities to whom they give charters and through the sheriffs of counties.

"It is a well-established principle that municipal police ordinances," says Ernst Freund, in his authoritative volume, *The Police Power,* page 57, "like all other municipal ordinances, must be reasonable in order to be lawful."

The question then is, What police power is reasonable. Freund lays it down that the right of criticism of existing forms of government is practically unlimited. Consequently, ordinances forbidding such discussion would be unreasonable and so unconstitutional.

After the Union Square bomb the New York *Nation* said (March 28, 1908):

"It may be more dangerous not to hold a meeting than to hold it. . . . Men who are out of work, who have a grudge against the existing order, are easily provoked to violence; but there is no surer provocation than to deny them free speech. . . . A knowledge of human nature should convince the authorities, here and elsewhere in the United States, that the policy of suppression must be only a last desperate resort.

"Force is but a feeble weapon in dealing with unrest and agitation, because it cannot check the spread of ideas. The police may disperse a mass meeting, but, after all, they have done little or nothing. The abhorrent

* *The Police Power,* by Ernest Freund, p. 57.

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doctrine runs like a plague through the masses—passed by word of mouth, by circulars, and by the revolutionary press. There is only one way to combat it effectively and that is by reason. If we cannot marshal arguments to destroy the fallacies and the half-truths, upon which the structure of socialistic and anarchistic theory rests, our case is, indeed, hopeless. Argument with hungry, ignorant, and excited men is obviously a formidable undertaking; but still it is the only method in a free country like this. Certainly the clubs and the police will never put sound ideas into people's heads; on the contrary, every blow is likely to make a convert to a 'propaganda of deed.' Even more subtle attacks upon old ways of settling economic difficulties had better not be suppressed."

The Civil War in America appears to have ended a controversy. But force did not do this. The South sees that its new economic conditions are superior to the old. Reason pacified the South; intelligence closed the dispute, which was not primarily political—a matter of State rights to secede, but economic—the comparative advantage of slave labor and free labor.

The war could have been averted. Prior to 1865 all the economic facts about the efficiency of slave and free labor could have been learned. These facts form a part of the history of civilization. Political and economic history have no other purpose than to save the waste of repeating mistakes. The Civil War was due to economic ignorance and to class or caste pride. The victorious North settled nothing, but it held the South in a new position long enough for the South to see its own advantage.

Is it too much to suppose that if we will resort to means that are intelligent we can settle peacefully the present economic controversies?

If the exercise of the police power—that is, whether it is to be violent or reasonable—depends largely upon its administration, if the administration of the police power depends upon social conditions and upon public opinion, then in the last resort police methods are an expression of the public state of mind.

The Secretary of Commerce and Labor said recently before a Congressional Committee:

"The conflict [between capital and labor] is irrepressible. If the Government does not find and establish rules by which the development may be intelligently and normally had, then ultimately the expansion and the progress will be had in defiance of rules that do not fit. That has been the story and that will be the story of development everywhere."

The American public must be shown simple, rational

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methods to put in the place of our present turbulent methods of dealing with industrial controversies. These successful rational methods exist. In Australia, in Canada, in England, in Germany, and in America there are governmental methods that have lessened the number of appeals to force. There are, too, unofficial experiments that have been encouraging.

Compulsory arbitration seems logical and to stand on the same basis as our courts of justice, which are compulsory in their action; but compulsory arbitration is not favored by working-men.

In compulsory arbitration Mr. Gompers, President of the American Federation of Labor, sees the possibilities of a new judicial tyranny. In Australia, in Canada, and in England the tendency is from arbitration to conciliation.

In Canada the Industrial Disputes Investigation Act of 1907 applying to all public utilities has proved very helpful. In these industries it is unlawful to strike or lock out until a Government investigation of causes of the dispute has taken place. It abandons arbitration, relies exclusively on discussion, conciliation, publicity, and public opinion.

From March 22, 1907, to August, 1909, forty-five settlements were arrived at without strikes, involving 65,500 employees. There were eight illegal strikes, involving 8,650; five legal strikes (after reports of board), involving 10,325 employees.

In the United States the Erdman Act, offering to railroads the mediation of Government officials, with power to appoint a board of arbitration, has made so favorable an impression that it is proposed to extend it to include mines. Recently the interposition of Judge Knapp, of the Commerce Court, and Commissioner of Labor Neill resulted in preventing a strike of 200,000 railroad engineers. The leader of the threatened strike admitted: "No body of organized labor is big enough to stand out against an offer for arbitration coming from authorized agents of the United States Government."

In New York at the time of the Shirtwaist Strike, Mr. Louis Brandeis devised a preferential union scheme which has worked so far very well and may form a model for other trades.

"The preferential union shop was designed to meet the *impasse* arising from the insistence of the manufacturers upon an open, and of the

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union upon a closed, shop. Under this arrangement the manufacturers bound themselves to maintain union conditions as to hours, wages, etc., and to give the preference to union members in employing and retaining workers. On their side the unions bound themselves to admit on reasonable terms all workers who should apply for membership, to enforce the discipline of the shop among their members, to restrain them from unauthorized strikes, and generally to see that they lived up to the terms of the protocol.

"During the year ending December 11, 1911, this machinery had been utilized for the settlement of 1,418 grievances, of which 1,283 were brought before it by the unions and 135 by the manufacturers."

Great Britain, "the nursery of peaceful methods of adjusting labor difficulties," has made great strides in rationalizing labor disputes.

"The most important factor, however, in the progress made along the lines of conciliation has been the attitude of the British labor unions themselves. Article 3, Rule 1 of the by-laws of the General Federation of Trade Unions reads: 'It is the purpose of the General Federation to promote industrial peace, and by all amicable means, such as conciliation, mediation, reference, or by the employers and workmen, or disputes between trades or organizations; where differences do occur to assist in their settlement by just and equitable methods.' The British Federation of Trade Unions has, as a rule, acted up to the very spirit of this by-law."

The United States with its many legislatures, its regurgitation of the doctrine of States rights (the North is now fighting Federal jurisdiction in industrial matters), cannot expect to give such quick relief to a critical situation as did England in the coal strike. On the contrary, we in America have more dangerous conditions, more serious infractions of individual liberty, and at the same time more political rigidity. What can we expect, then, except disaster unless we turn our backs upon a further appeal to force and apply reason to our industrial problem?

PERCY STICKNEY GRANT.



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# WHAT IS A REACTIONARY?

BY JOHN HUNTER SEDGWICK

In the United States and in England men understand fairly well the attitude of a man like Mr. Balfour toward the impatient neology in politics that to-day plays such a resounding part. The attitude is simply that of all men who hesitate to accept conclusions from premises that have yet to establish themselves. Such an attitude may be described as doubt or uncertainty or skepticism; there is no doubt that Mr. Balfour would cheerfully admit all three at different times in his career, but the result of the attitude, at all events, is, not so much a lack of what I believe the Bishop of Birmingham has called "intellectual decision" as, on the contrary, a refusal to surrender one's intellectual and spiritual right to judge certain propositions in the light of facts. Lord Morley in his *Cromwell* has said of Oliver that he "possessed far too much of the instinct for order and government—which is very narrowly described when it is called conservatism—not to do his best to secure just administration of the law." In these words of a man who has thought a good deal about the progress of the human race there may be found the groundwork of a very fair definition of what we mean by conservatism, and a pretty accurate description of the ideas of government that a skeptic of empirical politics is likely to display. When conservatism of any sort, but especially in politics, is contrasted with progressivism, or democracy as the word is so much used, or in fine with any of those systems of political innovation that combine the Rights of Man with a vociferous objection to experience, political discussion, save of the coolest sort, is easily resolved into a set of attacks and counter-attacks, not of reasons and arguments and what shall meet them; it is for this reason, therefore, that the frequent criticism of a conservative objection or a conserva-

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tive scheme of politics meets not with a reasoned answer to the arguments it puts forward, but with the accusation that it is reactionary. The conservative is a reactionary, his refusal to admit that the proposed *tabulæ rasæ* are to be followed by a chart of perfection is called reaction, he is anathema to those that like quick political movement without too much deference to the authorities, not of hierarchies or monarchs, but of facts. What, then, is reaction?

Lord Morley has said justly and acutely that "no negative thinking can stop at the negative point," but those that are fond of accusations of reaction against those that do not deem caution inconsistent with patriotism or common sense, have not always a definite idea of what "negative thinking" may be. Themselves negative thinkers of the hastiest or most radical type, the only negative thinking of which they can conceive is that which negatives their contentions; they do not grasp the fact that such thinking is directed quite as much to demolishing an unsound political theory as to mere criticism. As soon as one of their political schemes is criticized, as soon as it is pointed out to them that their project is empirical and rests on conclusions that are not supported by men's experience, or that are shown outright to have been tried before and to have resulted in harm to the State and injustice to the individual citizen, that moment those who have done this become reactionaries. This is one of the sophisms of those that make professions of advancement; it is a description and not an explanation, and by it the moderate liberal, who will not be hurried by passion or persuasion out of good sense and justice, is at once stamped as a De Maistre in little, and grouped with those elements of thought that are sunk irrevocably in medievalism. Strange as it seems that there should be such a confusion of thought, it is nevertheless true that to-day in the United States men of sober political aspirations and political knowledge are forced to defend themselves against this accusation of being reactionary. Their position is not without a certain grim humor of its own; on one side they must defend themselves from being included in the school of De Maistre, while on the other hand they must protect themselves from the equally embarrassing attacks of those who lightly throw over what is good in the past through sheer ignorance, or a personal jealousy toward what they themselves have not originated.

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When a term is so much used in public speaking and writing that by repetition it bids fair to be given a peculiar meaning, men ought at least to know what its literal and hitherto accepted meaning has been. The *Oxford Dictionary* says that reaction is "the repulsion or resistance exerted by a body in opposition to the impact of another body." It gives a figurative use of the word from the *Religio Medici;* "it is the method of Charity to suffer without reaction." As another meaning we are given, "the influence which a thing, acted upon or affected by another, exercises in return upon the other agent, or in turn upon something else," and gives as an example a sentence from Arthur Young, "the effect of high or low prices on agriculture, and the reaction of culture upon price"; this is followed by one from Tyndall, "action and reaction have thus gone on from prehistoric ages to the present time."

It gives still another definition, very succinct in its statement: "the action of one chemical agent on another, or the result of such action"; again, this time in connection with the subject of this article, the word is defined as "a movement toward the reversal of an existing tendency or state of things, especially in politics; a return, or desire to return, to a previous condition of affairs; a revulsion of feeling"; and quotes the Master of Balliol to the effect that "in the ancient as well as in the modern world there were reactions from theory to experience."

The *Century Dictionary* will give us the same results of examination, and one of the definitions in full is:

"In dynamics a force called into being along with another force, being equal and opposite to it. All forces exist in pairs; and it is a fundamental law (Newton's third law of motion) in mechanics that 'action and reaction are always equal and contrary,' or that the mutual actions of the two bodies are always equal and exerted in opposite directions."

Again, the *Century Dictionary* defines reaction as

"action contrary to a previous influence, generally greater than the first effect; in *politics,* a tendency to revert from a more to a less advanced policy, or the contrary. Any action in resistance or response to the influence of another action or power; reflexive action or operation; an opposed impulse or repression."

A quotation to support this is given from Herbert Spencer, to the effect that

"every trespass produces a *reaction,* partly general and partly special—a *reaction* which is extreme in proportion as the trespass is great."

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It has been intimated that the accusation of reaction is made against those that regard conservatism as a necessary element in all real political advancement so often and so readily that it promises to be added to the political vocabulary of the United States. If this premise be right, then it is but fair to say that those who use words must not only say what they mean by them, but shall agree that they shall continue to bear a certain meaning to be determined by the general usages of mankind. Therefore it is that, at the risk of turning the dry light of the dictionary on an interesting subject, the importance is emphasized of remembering these various definitions of reaction. There is nothing to be said for the reaction that simply represents the opposition of evil to good; for the reaction that would make the world reverse its orbit; for the reaction that would fetter men's thought by imputing intelligent qualities to the crass unintelligence of matter; for any system of backward reasoning that would fasten the hold of the past upon the glowing and living present; none of these things can move any one loyal to what is right and to what Lord Morley has felicitously called "men's knowledge of the sublime art of the happiness of their kind," but the same pen that wrote this noble and wise sentence has written with equal wisdom and nobility that John Stuart Mill "never taught that democracy was the only guarantee we needed for steady and unbroken progress. He knew too much history." Mill knew, whether he agreed with Comte or not, that history, the record of the experience flowing from men's acts, proved that the past furnished evidences that could not be disregarded in plans for the present, his knowledge being virtually that there was a law that certain impulsions in one direction were followed by certain impulsions in another, and that, whatever the first might be, it was generally responsible for the second. This law applying to good as well as bad impulsions, it does not follow in any way that what is called reaction can be taken to work for evil any more than for good, all mankind realizing more and more that the world is instinctively tenacious of an advanced position that it has gained. The point of the matter is to determine what good reasons can be shown that a step proposed to be taken is one in advance, in amelioration of existing conditions, in improvement of intelligence, and not merely one of change. If a man that insists that it is the

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right of a people to have this determined must be called reactionary, then many farsighted thinkers in politics and students great and small of history must find themselves given a title to which they have been accustomed to think that a quite different school of thought had a claim.

If we return to the more or less literal yet strictly proper definition of reaction, we are struck with the various definitions quoted, especially with the fact that in chemistry, physics, and mechanics reaction is not a phenomenon of volition or independent and separate causation, but, on the contrary, is one that is called automatically into being by the existence of action. If, further, we recognize that action in politics, unlike that in mechanics or chemistry, is a thing of which the quality of good or bad must be used in describing it, it does not in any way follow that a political reaction in thought as evidenced in words and acts is bound to be bad merely because it is a reaction. So little is this the fact that we know well enough that at many epochs in the human history of the world the reagent has saved men from the agent in politics, and has been nothing more than the sane instinct to surrender neither to the narcotic persuasion of acquiescence in traditionalism nor the reckless empiricism of mere political novelty. With this term, as with so many others in politics, it will be found that the rules applied to its use in matters that have to do with the human economy are quite different from those applied to inanimate factors. Nothing can be clearer than that reaction can never be affirmed in either praise or blame of anybody in the discussion of political questions, unless the nature of the action be first examined, a thing that can never be safely done in any matter of importance without some reference to the continuity of history—that is, the history not of the laws of atoms and physical forces, but of the real currents of a power infinitely above matter and its conceptions. The reactionary who is really the champion of a bad political reaction is almost personified in such a writer as Joseph De Maistre, who nevertheless wrote what he did out of a sense of duty, a sense very creditable to him save in that it was mistaken. In one of the *Letters to a Russian Gentleman on the Spanish Inquisition* De Maistre says:

*"L'Inquisition est, de sa nature, bonne, douce, et conservatrice; c'est le caractère universel et ineffaçable de toute institution ecclésiastique; vous voyez à Rome et vous le voyez partout où l'Eglise commandera."*

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(First Letter, page 6.) In answer to the accusation that "*Les écrivains disparurent au moment où parut l'Inquisition,*" De Maistre asks quite seriously:

"*Qui ne sait que le beau siècle de la literature Espagnole fut celui de Philippe II., et que tous les écrivains qui ont illustré l'Espagne n'ont fait imprimer leurs livres qu'avec la permission du Saint-Office?*"

Passages like this add much to the humor of political literature. Of the school of De Maistre are those that take satisfaction in referring to Charles I. as the "blessed martyr," although they can hardly feel the pressure of the Civil Wars in England quite so keenly as De Maistre felt the effects of the French Revolution; commanding figures like De Maistre and less impressive like the Jacobite of the twentieth century, both fail because they mistake prepossessions for principles, and however lofty their motives may be, the men themselves must always be from the nature of things on the antiquarian side of the argument; they are not in accord with the impersonal fact that opinions have changed, and changed in obedience to a rule that has always been in existence, to be embraced by Cromwellian and Cavalier, *Conventionnel* and Royalist alike at any time if they but choose.

Supposing that we have agreed that all that are called reactionary are by no means anything of the sort, that it is a blessing that some agents are bound to meet their following reagents, and that equally the real reactionary seeks to put society in the close air of bygone things, we shall make a great mistake if we suppose that the State theologian, the defender of an exploded theory of monarchy, and the mere "antiquitarian" are the only ones that can safely be accused of reaction. One is tempted to ask why the term "reactionary" should be fastened on the man that looks back from a doubtful proposition to an undoubted proposition that has been proved by experience and should not be fastened upon the man that, unacquainted with this particular experience, wishes to repeat a process that has already been found harmful to the common weal? It will be found that in many cases where reaction is charged against a man that criticizes or opposes a political measure, he simply manifests an inevitable access of caution and desire to acknowledge facts consequent on men's experience with political schemes, too many of which do not make a dif-

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ference between social revenge and the single-minded desire to pursue a scheme of social improvement. It is for these reasons that one objects not only to real reactionaries, but to that hasty and more or less malicious use of terms that describe as reactionaries men that, so far from being such, are believers in advance of every sort, provided it be toward the light, and not away from it. Nobody can deny the benefits in the last century of the enormous spread of popular education, but those benefits have not included any increase in the measure in which men guard their words; give them by all means a vocabulary, but teach them to control it. The result of the inability to use terms correctly, or the unwillingness to do so, is shown to-day in the United States when orators and writers talk profusely of the people, of popular control, of constitutional rights, and a hundred other necessary elements in government, without any apparent sense in themselves or their audience of the ignorance that they display. It is all meant for popular consumption, and it is consumed, with what benefit to the cause of self-control and self-respect affairs in the United States have yet to show. A process of gradual distortion of constitutional ideas such as follows from loose thinking and speaking, followed by its flattered encouragement, is not one that in the end can prove trustworthy or triumphant, but it may for the time being cause such an obstruction in the normal development of men's knowledge and use of popular constitutional government as they may persuade themselves that they cannot clear away save by the aid of the reactionary of the type that all lovers of freedom abhor. It may be that by this time the man on horseback is an impossibility as an individual, and so may not be expected. But, save for those with a taste for arithmetic, there is little difference in point of dynamic pressure upon the welfare of the community between the man on horseback and the violent number that may call themselves the majority, a majority only made coherent by opposition to the right of private judgment on the part of those that disdain government without justice. At the risk of repetition, let the proposition be put in another form, and say that conceding political reaction not to be always bad, even so the term cannot ever be used with any accuracy until we have determined the character of the agent against which the reagent directs its force. If this be done, a thing that in any

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physical or chemical question would have to be done, it will be found that this term, unless used with the greatest moderation and accuracy, is one that will not redound always to the glory of those that use it. We must upset the dictionaries if we are to lay down a hard-and-fast rule that by calling a man reactionary we are thereby proving him to be one that is opposed to the progress of the human race; and, what is more, we are warning the real reactionary, the man that would once more shackle understanding, under what disguises he must work in order to be plausible. An example of this is shown us in the case of the Jesuit Mariana that applied the principles of popular rights of self-government to the thesis that it was justifiable to remove an unjust ruler.

"But it must not be forgotten that many of what are called the principles of 1789 were recognized and used as convenient weapons against the authority of the Crown during the sixteenth century both by Catholics and Huguenots; by none more emphatically than by the priest Boucher and the Jesuit Mariana."*

Mariana gives us an example at one extreme of political thought, but he is not to be held up to our horrified wonder as the only one that has used the principles of popular rights in a peculiar way; it is the blessed character of Justice that she is of no Church, and the dangerous character of political theory that it may be used by any school of thought. We can hardly suspect Mariana and Rousseau of agreeing with each other in political ideas, but Rousseau was as ready to advocate stern political measures at the cost of a denial of liberty to the individual as Mariana was ready to remove a sovereign for the benefit of a people. Sir Frederick Pollock thus digests one of Rousseau's theories:†

"Whoever refuses to obey the general will is to be compelled by the whole body to obey it; 'which is as much as to say that he will be compelled to be free'—an ominous phrase."

On the question of the rights of the sovereign people, as Rousseau was prepared to defend them, Sir Frederick says:

"So confident is Rousseau in the indefeasible rights of the sovereign people that he seems to approve of delegations of authority which constitutional writers like Locke thought dangerous and unwarrantable. He speaks with equanimity of a dictatorship."

* *The Cambridge Modern History.* Vol. VIII., Chap. II. *The Principles of 1789 and 1793,* by P. F. Willert, M.A. See also Lord Morley's notes to his *Macchiavelli.*

† *History of the Science of Politics,* pp. 76-78 *et passim.*

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So far as arguing that the rights of the greater number justify steps that are in themselves denials of liberty or plain acts of wrong-doing, there is not much to choose between the Geneva-Switz and the Spaniard; they are both casuists, and both are reactionaries in so far as they propose a plausible act that must at some future time be followed by a moral void that must be filled. Mariana was a reactionary of set purpose because he used the forms of liberty to attack its champions, while Rousseau, the enemy of slavery, was willing to persuade himself that a step which the whole course of history would have told him was reactionary in the bad sense of the word could be taken to help human advance. Lord Morley says that "reaction, for instance, may be only an enemy's name for a new sort of revolution," which is a very fair way of presenting one of the phases of the word's use, and but another proof that to be a reactionary depends a great deal on what the objector thinks reaction may be. The same writer has said in his *Turgot* that "the imagination ever craves wholes," a saying the accuracy of which no one can dispute; the syllogism is a painful thing save to them that love it, and that laborious sifting of facts and the arrangement of them that must go to furnish men with terms for their syllogism are more painful still. It is easier and it is more flattering to the fancy to conceive and dream of a political scheme as a whole; that is the danger of a formula, that its statement must be its justification in the eyes of its champions, and when a man criticizes a scheme of political amelioration or social perfection, the two being virtually the same, he at once irritates those that would have the proposition accepted as a whole. The syndicalism of to-day that puffs its acrid breath in the face of the common rights of the community, what is it but a reaction against the parliamentary socialism that moved along a path toward social amelioration and yet left behind no smouldering hatreds? The only reason that it is not called reactionary is that for the moment its advocates by their noise and violence have surprised the people into silence; but when the people recognize that their fundamental rights are invaded by syndicalism they will assert themselves, and syndicalism will be put in the museum of ancient hatreds. Another reason why syndicalism is not branded for what it is in fact, a type of real reaction, is that its claims can be made

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noisily and quickly, but the answer to them, drawing its materials from historical elements, must take more time. For the moment an unhistoric plan of campaign must always succeed, but its fate comes when the inevitable facts of human experience have rubbed through its thin armor of false humanitarianism. A writer that can hold advanced views on the principles of government and yet retain the historic sense, a combination of qualities that have not only earned for this great English statesman-essayist the admiration of his generation, but have made him one whose words must have much weight with the followers of liberalism, quotes the words of Macaulay about the United States in 1857.* The same words are quoted by Edmond Scherer in his *La Democratie et La France,* and the conclusions of the two writers are not the same. Scherer approves Macaulay's criticism, and says that democracy tends to a procedure that itself "*revient à quelque chose d'assez primitif dans l'histoire des sociétés, l'expropriation, la conquête.*" In other words, whether we need agree with M. Scherer or not, what he describes is a reaction, the doing away with certain laws among men, and the reversion to a period when there were no such laws. On the other hand, Lord Morley, it may be somewhat hastily, says of this opinion of Macaulay's, "Yet amid fierce storm and flood for fifty years since Macaulay wrote, the American anchor has proved itself no mere kedge," and does not seem to apprehend reaction of the kind that the writer ventured to classify generally as good or bad. We must take his opinion as that of a man that does not express himself lightly, as a man of the somewhat rare combination of experience and achievement both in literature and the large affairs of State; above all, we must weigh this opinion as that of one with the most scrupulous and critical respect for facts. Yet, in the face of such an opinion from such a man, can it safely be said that this stability in the popular respect for constitutional rules, this kedge-anchor, is not to-day threatened with a bad reaction and not a good, because it seeks to oppose to a painfully constructed body of fundamental law a factor that cannot in any way be fundamental, the will for the time being of a portion of the people that from the nature of things constantly changes its composition?

JOHN HUNTER SEDGWICK.

* Review of Hobhouse's *Democracy and Reaction,* p. 325.

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# THE "MISSION" OF WOMAN

BY A. MAURICE LOW

"LET woman remain in her proper sphere!" There is no way so easy to dispose of an inconvenient, disputative antagonist than with an ambiguous phrase. It is the more subtle method of the Old Bailey lawyer—when your own case is weak, bully the witnesses on the other side and abuse your opponent. Ask why suffrage should not be granted to women, and the answer will be, "Let woman remain in her proper sphere." What is her sphere? You probe in perplexity, and the crushing retort will be—delivered in a tone to imply that you must be either fool or knave, and preferably both—"Woman's sphere is the home and family. A woman fulfils her highest mission when she is wife and mother." Further argument is closed.

The unfortunate predicament of the opponent of suffrage to woman is that he (and, with a delicacy that every woman who opposes suffrage to her sex will appreciate, the masculine pronoun is used to include the feminine) is illogical, and that illogicalness is the result of ignorance deep-rooted in tradition. To the ignorant everything that is new is dangerous. The demand of woman is new, consequently it is dangerous. The proposition is as simple as a syllogism, and almost as fallacious.

There are two, and only two, relations that woman can occupy to man. One is to be his wife and the mother of his children. The better she keeps her house and the more young she produces, the more nearly she approaches to having fulfilled her "mission." That to some people will seem like stating the proposition broadly and brutally. I am not at all hesitant about shocking the nice sensibilities of those tender souls who wear aigrettes and shudder at the thought of a live lobster turning pink in a pot of boiling water. Ugliness is not made beautiful by wrapping

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it in pretty words, and there have been too many euphemisms in discussing suffrage. Besides, the case will prove itself by logic, and logic is truth, and truth does not hide in polished phrases.

If woman's real mission is to be a man's wife and the mother of his children, then woman was in her ideal state when the world was young and men and women lived in savagery. For in that era of few clothes and primitive desires woman performed her duties most admirably. Not having many household duties, she had much time for child-bearing and child-rearing. In the intervals between child-bearing and child-rearing she was an excellent beast of burden, docile, intelligent within her limited capacity, yielding ready obedience to her master. She became a necessity. She was a convenience that her husband appreciated, who valued her almost as highly as his bow and arrows, his spear, his canoe, or his flint hatchet; and who ranked her perhaps not first among his possessions—for a new wife was easier to get and less costly than one of Tubal Cain's latest model guaranteed hand-hammered hunting-spears—but as an asset not to be wantonly wasted.

The savage had a great advantage over civilized man. He had no artificial conventions and no scruples. He was as cold-blooded as a farmer. When the woman became old and pottered about her work, or could no longer bear children, he found another wife.

It was an ideal state, but it could not last; no ideal state ever does. When man dug himself out of his cave and transformed himself from a naked savage into a skin-clothed animal and cooked his food instead of tearing it to pieces with his hands and made cunning take the place of brute strength, he wanted a wife with at least a glimmer of his intelligence. She was still housekeeper and mother—for that in the conception of primitive man nature had designed her—but he could no longer tolerate an animate machine mentally little above his beasts. When he beat her because she couldn't count up to three—which was the limit of her lord's arithmetical knowledge — that day began woman's emancipation.

That's the mistake he made. It was the same mistake that has been made since. You can't put brains into a race or a people with a proclamation. A thousand years of barbarism are not wiped out with a few high-sounding phrases.

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Something more than good intentions are required to make civilization. So long as the savage was content with his wife's "mission" all went well in a select cave-dwelling society; it was when he put foolish notions in her head and taught her the intricacies of addition that he dug a pit for his destruction.

It has been said there are only two relations woman can occupy to man. One we have seen—that of housekeeper and the mother of his children. The other is that of his intellectual equal. Between those two—the poles of the social relation—is space formless and void where there is no place for the feet of women to rest. There is no middle ground. Man either wants woman for one purpose, and in that case he cares nothing about her intellect, or he wants her for many purposes, and in that case he always considers her intellect.

Let us not quibble about words. "Intellect" sounds portentous and has a different meaning according to the yard-stick by which it is measured. The great scientist's standard of intellect is very different from that of the young fellow from whom one buys his cigars and who deferentially asks whether you think the Green Socks will "swat"—I believe I am technically correct in the use of that term—the Yellow Jackets and to whom for the sake of politeness one has to make a Delphic reply; yet it is only a difference of degree, not of substance. The woman who is to be the scientist's wife must be in sympathy with his work; the young fellow's "girl" shares with him his keen interest in the "swatting" of the Yellow Jackets; in fact, just as it was the woman's fine understanding of science that first attracted the scientist to her, so it was the girl's professional appreciation of "three baggers" and "pop flies" that made the tobacconist's assistant recognize in her a kindred soul. The woman whose sole interest in life is horses or baseball would be regarded by the scientist as his intellectual inferior; the girl to whom baseball made no appeal would invite the contempt of our young cigar-selling friend.

The intimate relation between man and woman makes it impossible that man can morally or intellectually advance and woman stand still or retrograde. If such a thing were possible it would result in the deterioration of man. But the hypothesis suggested is a biological paradox, and the

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animal as well as the vegetable kingdoms prove its impossibility. The male and female of all species must keep step. That does not mean that the male develops no qualities peculiar to himself, or that the female loses her distinguishing traits. But when man walked erect woman ceased to crawl.

Man brought woman to his own level. He could not help it. He could no more live with a woman his intellectual inferior than he could live with a woman who was incapable of understanding the language in which he expressed his wants. That relationship might suffice temporarily, but it could not be lasting. For man and woman to hold spiritual communion when the physical attraction ceased or became dulled an exchange of intellectual ideas was imperative.

Again we see there is no middle ground for woman. She is either the mother of children or man's companion.

Stripped of all humbug, what the average man desires in a wife is to make her the mother of his children and still have the enjoyment that comes from her companionship. Put in its naked form to the average man, who is not merely a brute, and it is safe to say that nine men out of ten would, if compelled to elect, willingly sacrifice parenthood for the sake of companionship.

The revolt of woman is the revolt against that degradation that would condemn them to a single function—motherhood. They have reached that stage in their intellectual evolution when they no longer regard maternity as the *ultima thule*. There is no revolt against sex—for the instinct of sex is too powerful to be suppressed; but there is a passionate demand that woman be recognized as man's equal.

That demand—the demand for equality—has been perverted, deliberately and through ignorance. It does not mean that woman claims to be man's physical or intellectual equal; what it does mean is that woman asks to be considered as man's equal within her own limitations and not to be looked upon as his inferior based solely upon the fact of sex. A flat-chested, anemic youth is not the physical equal of a man who strokes a 'varsity eight, but he is officially recognized as the superior of all women. Man, no matter what his moral, intellectual, or physical status, is legally and politically the superior of woman. A married man who has bought stocks with his wife's money can sell

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them without her consent; a married woman who has bought stocks out of her own earnings cannot transfer them without her husband's signature.

Personally I care very little whether women are given a vote. That seems the smallest and least significant part of a movement that has enmeshed women in its mazes and the real meaning of which they understand as little as men. Instead of enlarging the franchise one would prefer to see it reduced; a very stiff educational qualification *plus* equally rigid moral qualifications would have salutary results. The ballot in the hands of the illiterate is as great a menace as in the hands of the dishonest or the drunkard. In England bankruptcy is a social crime. Is not moral bankruptcy an even greater crime against the State?

The ballot, most people believe, is the end for which women are striving. It is, in a way, for mankind must always have a definite aim just as men in battle must have a war-cry or a flag around which to rally. But the ballot is not the end, it is simply the means. The ballot works no magic. The demand for the ballot is only incidental to breaking down the artificial relation that exists between the sexes, which has been as detrimental to man as it has been to woman. The age-long tradition of woman's inferiority will be swept away, to the benefit of man no less than to woman, when equal political rights are conferred on women. One-half of the world from the day of birth to the day of death—the female half—is labeled inferior, and from that stigma of inferiority there is no escape; the other half swaggers around pluming itself on its boasted superiority, puffed up, arrogant, conceited, complaining of the stupidity of woman, at times treating her as a child and at other times irritated because she is as foolish as a child. And woman has meekly submitted. With fatalistic resignation she has accepted her place, often hiding her intelligence in flattery to the assumed cleverness of the man. "There is perpetually the inducement to act the hypocrite before the hypocrite world unless a woman submits to be the humbly knitting housewife, unquestionably worshipful of her lord. 'The world prefers decorum to honesty,'" Meredith's Diana philosophizes. It is an absurd and ridiculous relation. It is this relation that has compelled woman, from the dawn of creation, to use her guile and wiles first to ensnare man and then to hold him. She has been chattel,

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toy, or luxury. For this false and demoralizing relation—no less demoralizing to man than to woman—she would now substitute intellectual and rational equality.

It has been alleged that the readjustment of society on a proper basis of the relation between man and woman would lead to social confusion, chief of which would be a refusal of woman to enter into the married state; and a falling-off of the birth rate would of course be the result. A little knowledge is a dangerous thing, but it tickles the ears of the groundling. The fear that marriage would fall into desuetude has no terrors for the biologist, the sociologist, or the philosopher—that is, not so long as men and women remain what they are to-day. No law of man, no convention of society, no teaching or preaching—nothing, in short, that is artificial will exercise the slightest influence against a fundamental law of nature and nature has ordained that man and woman shall marry.

That there may be a decrease in the birth rate as the result of woman's intellectual emancipation is not at all improbable, nor would that be the greatest evil to befall the world. It is, of course, the fashion to-day to gauge everything by quantity and to be indifferent to quality, yet the future of the race and the present happiness of a people rest on certain qualities rather than mere numbers. Would an irremediable evil be done if the world, like a tired field, were allowed to lie fallow for a season or two? I think not. When sham civilization has been succeeded by scientific, parents who bring malformed children into the world, or those with the seeds of disease in their puny bodies, will be held in contempt, and the death of a child in infancy will be regarded, not as a visitation of God, but as a defiance of the laws of nature and heredity. It is probable that the birth rate will fall because women will contract marriage later and more rationally. Marriage then will no longer be a woman's "mission" any more than it is to-day man's "mission," so that women will be enabled to enjoy the same power of selection as men do, and they will be governed by their intellect in making a decision. The result may be fewer children, but they will be happier, more virile, and more intellectual children, and there will be fewer heartaches. There will be fewer mothers to mourn a memory; fewer fathers to know the agony of having given life only to see it taken away.



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It is impossible to deny the fact—and it is the pitiless logic of fact, no matter how unwelcome or distasteful it may be—that woman must either be a child-bearing, housekeeping inferior or man's equal. Any other relation is not only illogical, but impossible, and reacts both on man and woman. So long as man is content with woman's inferiority and woman accepts the position to which man has assigned her the relation is simple; the moment he demands of her something more—and continually he is raising the standard—the old relation has broken down. She is forced then, we are told, to sacrifice motherhood for intellect. But is it a sacrifice? Is not the character of a race determined by the intellectuality of the mother? Is not the higher level of civilization, in a large measure at least, the result of the partial emancipation of woman and the modification of the old relation between the sexes? It is impossible to close one's eyes to what nature has made so plain and society has so clearly proved. If in the economy of nature women were created for one purpose—just as the male bee dies in the performance of the only duty for which nature permits his existence—physically and mentally women would be differently constituted; nature, stupid and wasteful, but never meaningless, would not have hidden her meaning in obscurity, but made it the most palpable fact of sex; instead of which it appears not as the justification for woman's creation, but as an incident in her life, which destroys her neither physically nor mentally. No matter how often the question is argued or what phase the argument assumes, it always resolves itself into this: If woman is put into the world solely to be a mother, the more nearly she reaches physical perfection and the less she has of intellectual cultivation the more nearly she approaches the ideal; the moment you admit that she was created not solely for motherhood her intellect and her personal freedom are as important as her physical well-being. In a word, is she simply a magnificent animal? What decent man wants to regard woman as merely a magnificent animal?

Equality will not destroy woman's capacity for child-bearing nor prevent her performing her part as a mother; it will, however, make her a better and more intelligent wife and mother. She will lose nothing by having lost the sense of inferiority; she will have gained much by feeling that she has it in herself to prove her equality—her superiority,

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even—if she has the power. It will not turn the world topsy-turvy. It will not make man the weaker sex. It will place man and woman on a level, which will be to the advantage of society.

One is always reluctant to indulge in the *tu quoque* because it suggests too much the gamin's withering rejoinder, at a safe distance, to a more powerful antagonist: "All those things you say I is you am double," but the temptation is too great to resist, especially as the anti-suffragist does not reason, but makes dogmatic statements, mostly ridiculous. "Would a vote have doubled the strength of Charlotte Corday's slender arm?" asks an anti-suffragist, as if to imply the last word has been said. "Did a vote increase the strength of Guiteau's pistol finger?" one may ask with equal fatuity, as if one could prove a cause from a single incident or determine the taste of a loaf of bread from an unripened ear of wheat! "Would Jeanne d'Arc have done more for her country if she had been a voter?" "Would Grant have been a greater general if he had been a fire-worshiper?" If the writer would prove, or at least attempt to prove, that Jeanne d'Arc was able to do more for her country because she was *not* a voter—fantastic as the process of reasoning might be—the argument would be entitled to some respect instead of being made childish.

A well-known writer of fiction who has entered the lists to do battle against her sisters bases her objection to woman suffrage on physical weakness. "A dozen ruffians," she says, "could prevent a hundred women from depositing a single ballot." Unanswerable! But could not a dozen ruffians prevent a hundred Charles W. Eliots from depositing their ballots? Have not two or three ruffians frequently prevented dozens of decent citizens from going to the polls? If a dozen ruffians can nullify the votes of a hundred women or a hundred men of genius, a dozen ruffians are the more potent force in the affairs of State. Is not that the corollary of our champion's proposition? Again, the same writer opposes the suffrage to women because "no women can have any practical knowledge of shipping and navigation, of the work of trainmen on railways, of mining, or of many other subjects of the highest importance. Their legislation, therefore, would not probably be intelligent." Despite this sweeping assertion, it is nevertheless a fact that woman has done and can do everything that man has done or is

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doing. Women have fought with desperate ferocity on the field of battle; they have ruled kingdoms and made laws; they have led armies and navigated ships; they have endured the rigors of arctic winters and toiled under tropical skies; they have cured the sick and buried the dead; they have painted pictures and written books; they have enriched science and made discoveries; they have even worked in mines. Yet man, with all his boasted superiority of intellect, the wisest of all men, the wisdom of all men from the time of Adam if concentrated in one man, is powerless to do what woman does as a matter of course. No man can bear a child. No man can suckle a child. Yet man, without "any practical knowledge" of child-bearing, makes laws for child-bearing women; "their legislation, therefore, would not probably be intelligent." It is always dangerous for a disputant to attempt to prove too much. The opponent of woman suffrage has furnished an answerable reason why the right of suffrage should be granted—even if the right of women to participate in legislation should be limited to subjects of which women alone can have "practical knowledge" and man can have none.

There is another supposed reason why woman is to be regarded as the inferior of man, and again a sweeping generalization is employed without any scientific basis on which to ground it. "A woman cannot stand physical effort and nervous strain as a man can," which is an attempt to prove too much with too little material. Some women can stand more physical effort and nervous strain than some men, some women less, but that is of minor consequence. The failure of one woman to lift twenty pounds which one man can lift with little effort does not prove the mental, moral, or intellectual inferiority of that woman as compared with that man or make her any the less valuable as a counselor when brains, and not brawn, are the qualities to be drawn upon. If the argument is sound—the magnification of the physical—our whole system of education is at fault, our military methods are ridiculous, and we now know why the Church exerts so little authority. For the learned professor of Greek cannot endure "the physical effort and nervous strain" of the youngster who plays tackle on the 'varsity football team, who reinforces his "physical effort" by joy rides at sixty miles an hour and playfully punches the head of a protesting policeman; the

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recruit called up from the plow has a much larger stock of "physical effort" than the tactician of sixty; the bishop must yield to the sexton in "physical effort." Alice and the Mad Hatter never conceived anything more fantastic than do the opponents of woman suffrage who plant themselves on the physical.

Again, another argument is used, as is said by the writer who has already been quoted: "Nine hundred and ninety-nine women go into work with a fixed intention of abandoning it at the first possible moment. A woman at the period of her greatest energy is liable at any moment to make a contract of marriage, which vitiates all other contracts; and women are less amenable to discipline than men."

It is true that most women look forward to marriage because an unmarried woman is outside of her sex. Society has stupidly and cruelly made spinsterhood a disgrace; the "old maid" is an abnormality that society feels licensed to treat with contempt half veiled with pity; she has violated the ordinance of both God and man. A man may remain a bachelor, and no one thinks any the less of him. Economic and conventional requirements force marriage on woman.

That women are less amenable to discipline than men is the consequence of man's treatment of woman, who has from the dawn of creation regarded her either as chattel, toy, or inferior and encouraged her to believe that she was subject of her own special code and was not required to submit herself to discipline. Told that she was created so that she might become a man's wife, exhorted by the Church to enter into matrimony, put by legislation in a class by herself so long as she remained unmarried, very often lumped by the law with idiots and children, it is not surprising that her sense of responsibility was weakened, and with it, as a natural result, she became undisciplined. Yet, despite a training that would have been equally injurious to man, women have proved that they are amenable to discipline. Women in factories and shops obey the rules and regulations made by legislative or private authority; on the great ocean liners one notices little difference between the discipline of the stewardesses and that of the stewards, and when both have been subjected to the highest test, an accident or a panic, the women as a class have shown the effect of discipline no less than the men. The

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perfect discipline displayed by youths at boarding-school or young men at college no woman, of course, can expect to match. There, at least, it must be acknowledged, man shines superior.

One might go on indefinitely answering the objections raised by the opponents of woman's enfranchisement. Political differences, we are told by one champion of man, "between brothers, for example, who vote on differing sides do not promote harmony. How much more inharmonious must be the political differences between a husband and wife, each of whom has a vote which may be used as a weapon against the other?" Religion unfortunately has always been a much more bitter subject of controversy than politics, yet many estimable husbands and wives are members of different churches, and they continue to dwell in harmony. If it should be said that when a girl marries she will naturally be of her husband's political faith, but later might go over into the opposite party, the same thing can be said about religious conversion. Protestant girls married to Protestant husbands have become Catholics after marriage. Sometimes this change of faith leads to domestic differences, at other times it results in the husband's conversion; and it would be the same in politics. The marriage certificate does not include a policy of insurance against domestic discord. Men and women must take their chances, and if they go to wreck on politics the probabilities are that, even without politics, religion or bridge or Ibsen would have swamped them.

Battle as we may against progress, we cannot prevent it. Delay it we may, but in the end progress will triumph. Progress demands that woman be regarded, not as man's toy or chattel or inferior or simply the female of the race, but as his equal and companion in the largest and truest sense. That companionship will come only when the tradition of inferiority is broken down and men and women meet on common ground despite the accident of sex.

A. Maurice Low.

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# INTIMATIONS OF IMMORTALITY

BY H. B. MARRIOTT WATSON

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ALL teleological arguments in the case of believers in revealed religion, of what creed soever, culminate in a Great Redress or Restitution. That is to say, every creed assumes a goal to which the Almighty Power is working and which implies definite rewards and definite penalties proportionate to the services or delinquencies of mankind on earth. Those who do not accept any theory of revealed religion are debarred from these conclusions. The purposes of *their* God have not been communicated to them, or, rather, have been communicated only through the phenomena of Nature, and they are in doubt and wonder as to the aim and end of the Universe. The propulsion of the First Cause, God, has so far resulted in a condition of things on Earth in which creatures live out their brief lives amid mingled experiences of happiness and suffering. It is impossible to gauge the respective proportions in which this happiness and this suffering are exhibited; but it is probable that throughout creation generally the former very much outweighs the latter. Certainly this is the case with the inferior animals and almost certainly in the case of man. What, however, it is possible to assert is that there remains a definite and a vast amount of pain and suffering which in the case at least of highly specialized creatures can meet with no compensations save in those of a continued personality in a readjusted world.

Let it be put squarely and plainly. If God be only a Juggernaut driving to His appointed end over countless screaming victims, then, if the end be other than compensatory, Tennyson's infuriate words were too mild to sum Him up—

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"No more! A monster then, a dream,
A discord; dragons of the prime
That tear each other in their slime,
Were mellow music matched with him"—

and that terrible indictment in "Atalanta in Caledon," of "the supreme evil—God," would be justified.

The conception is so appalling that very strong *positive* evidence would be required to confirm belief in it. Negative evidence would and should be insufficient to justify such a conclusion. Absence of proof to the contrary, that is, should not and could not be accepted as proof of the proposition. Indeed, the shocked imagination, rising on wings of faith and emotion, might claim, and has claimed, the refusal of mankind to accept the theory as evidence of its falseness. There is, as we shall see presently, a ground of logic in this claim, a small and uncertain footing and no more, but still a footing. Meanwhile it is an obvious duty before resigning the mind to a belief in Juggernaut to cast about for any evidences against this view of the Supreme Power and to examine them and to find any grains of persuasion or hope or promise in them.

The crux of the problem admittedly is in the question of the survival of human personality after death. The vital interest of this inquiry centers in immortality. It is probably not necessary to demonstrate this point, as it will be generally conceded. The future happiness of the human being is conceived as compensatory for the ills endured in this life. Yet idealists, mystics, have been known to demur, and notably is this exhibited in a recent essay on Death by M. Maurice Maeterlinck. The essay is one of remarkable beauty and sympathy, but the point of view is too occult and visionary to appeal to the common human mind and common human emotions. It is that of a poet transcending ordinary desires and feelings rather than of a philosopher utilizing and recognizing these. M. Maeterlinck's exegesis of Death would seem to follow Epicurean lines, and more particularly the teaching of that wonderful man Lucretius. The aim of Lucretius was to destroy man's fear of death by a resignation. There is no terror after death, says he in effect; death is the end. Therefore, why fear Death? I am afraid poor human emotions will continue to shrink from the approach of that dread shadow "feared of man" until the end of time, despite the persuasions and encourage-

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ments of philosophers. An evidence of continued existence, even an existence with chances of happiness unsecured but proffered, would no doubt rid the human race of its horror of death, but certainly no conviction of final extinction would reassure it, nor any pantheistic conclusions such as M. Maeterlinck seems to foster.

"It seems, therefore," he writes, "that a survival with our present consciousness is as impossible and as incomprehensible as total annihilation."

Yet so far as we can understand, and if there is any meaning in words or realities in ideas, human consciousness is essential to a survival which shall be in any sense a restitution. Maeterlinck's mysticism lifts him into a very beautiful ecstasy of vision in which he can see for us an exquisite existence as infinitesimal fragments of an inspired universe. That surely is too vague, too nebulous an outlook. We must, to reassure ourselves, rest upon enduring personality, a personality subject of course to the conditions and modifications of the catastrophic change which death marks. "It is childish to talk of happiness and unhappiness where infinity is in question." Alas! what comfort or consolation will that reflection bring to sad hearts? Perhaps, thinks Maeterlinck:

"A few papillæ more or less to our skin turn the temperature, the silence, and the darkness of space into a delicious spring-time, an unequaled music, a divine light. . . . Each world dissolving, extinguished, crumbling, burnt, or colliding with another world and pulverized, means the commencement of a magnificent experiment, the dawn of a marvelous hope, and perhaps an unexpected happiness drawn direct from the inexhaustible unknown."

This is wonderful detachment, wonderful faith. There is something inspiring in the height of that thought. It has vision. It seems to stand aloof and see the whole universe in flux and flow below it, dissolving into fresh forms of happiness and perfection. It is magnificent intoxication.

But it is illusory. Consciousness comprises and necessitates memory. So far as words or ideas have any significance, the defalcation of memory destroys consciousness. An animal without memory is only conscious of the point of time which is the present, and its consciousness is therefore as immeasurable as a geometrical point. To admit a break in consciousness is to sell the pass of immortality, if I may put it that way. The perishing of these mortal

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relations, connections, and impressions which constitute and are our life and being would mean the destruction or passing of the entity. Its physical components might remain to receive other contents, to be informed to fresh issues, but what was the individual would have died for good and all. To believe otherwise would be to subscribe to a vain and hollow faith. As well accept the pantheistic conclusion cheerfully, that one is an atom in the flood of spirit pervading the universe, dispossessed as well as disembodied. As well credit those thin shades that peopled the underworld of the ancients. Nay, better thus; for at least these kept touch with what they had been, and were organic survivals of what they used to be. Maeterlinck's pantheism is a beautiful, vain, mystical illusion, unsatisfying to the spiritual demands of plain human nature.

The conclusion of the whole matter, then, is an acquiescence in the underlying purport of that claim of the poet,

> "Eternal form shall still divide
> Eternal soul from all beside. . . ."

If it do not, immortality will have no value for us; we shall be others, not ourselves, and others are born and die every moment around us. What need have we, then, to postulate a future world for ourselves?

Before making inquiry as to what evidence there may be for the survival of human personality it is necessary to touch on a metaphysical point. We must admit the trustworthiness of the human machine so far as it goes. Spinoza argued that conditions in the spiritual world could not be denials or reversals of conditions here—that is to say, that *so far as it goes* the human brain is to be depended on. The other life, if any, will not render this nugatory; it will offer an extension, not a reversal. This at least must be predicated as regards the basal principle. Details are another matter. If Herbert Spencer was right in his ultimate definition of life, we must claim that that Great Generalization at least will not be inconsistent with the experiences and revelations of a larger, freer, and unseen world. If we may not claim this as a preliminary, it is of no use going on to discuss the problem; we may as well surrender it at once and forthwith turn our attention to such pleasures and amusements as may serve to variegate life and distract attention from its tragedy. For it would be obvious on that

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ruling that any investigation of the universe's problem was hopeless, foredoomed to failure, and about as serviceable as making mud pies.

The arguments directed against immortality and survival may be divided into two classes. In the first place, it is bluntly stated by some thinkers that human survival is impracticable because of certain evidences in Nature. This view claims positive evidence in its favor. The other is merely negative, demanding evidence for the survival and finding none. It is better to take the former argument first. In reality it need detain us not at all. If I conceive an unlimited Power as responsible for the Universe, to set bounds to the possibilities of its workings would be a contradiction in terms. It is, of course, impossible for the human mind to realize what is connoted by an unlimited Power, but if we even assume that the Source of all things is limited, which is equally inconceivable to us, it is yet manifest that such a limited power as has developed and maintains the visible universe cannot be pronounced by the much inferior and more finite mind of man as incompetent to achieve either this work or that.

It will serve no purpose here, therefore, to enumerate the positive difficulties raised against the belief in immortality. I will only indicate one or two. There is, for example, the question of the lower animals. There is in addition a further problem of plant life. If survival is to be admitted of mankind, it is asked, can it be denied to the lower animals, even to plants? If so, where and why is the distinction made? And again, at what moment in the growth of the embryo into man is that property—soul or spirit—invested in it which insures survival? All these problems are sufficiently formidable and harassing to throw unbiased inquirers into confusion. Yet they are not insurmountable even for minds inconceivably below the Ruling Mind of the Universe. Is it beyond hope that a commission of, say, scientific philosophers could devise a scheme of Restitution which would include and account for all these difficulties? I would offer them the empyrean peopled with innumerable worlds, and invite them to sit together to construct a design which should harmonize and reconcile all seeming inconsistencies, and arrange a goal of permanent and satisfactory happiness for all things. This possibly might be found in a continued existence commensurate with consciousness.

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That is, however, by the way. My point is that if this achievement is within the reach of human minds (as I believe it to be), *a fortiori* it must be within the competency of the First Cause which is just so much greater than human minds as the whole is than the infinitesimal part.

No; criticism on this positive side is negligible. The strength of the sceptic lies in his entrenchments behind facts. He demands proofs and keeps an open mind. If there be no evidence of any kind to offer him he closes the register and dismisses the subject. This is the attitude of the most scientific minds and is the only attitude which matters. "Granted that survival is not an impossibility, we will credit it on evidence." The old saying is as apposite to-day as it was in the days of Job. "Canst thou by searching find out God?" While only the fool has said in his heart, "There is no God," the wise man demands the witnesses. An examination into the phenomena of the universe may provide us with some sense of the Power behind all and thus enable us to judge if a survival is likely. Direct evidence can only be obtained on the same terms as we obtain direct evidence in our own mundane affairs. The appearance of spirits, communications with the dead, and manifestations of a kindred sort would be direct evidence. If these can be established it is certain that we have proof of survival. The late F. W. H. Myers, after a lifetime of inquiry, had no doubt as to the endurance of human personality. The evidence convinced him, who had begun as a skeptic; and similar evidence has been instrumental in convincing others. This evidence, of which a great body exists in the records of the Society for Psychical Research alone, seems to have been strangely neglected both by religious people and professors of the orthodox sciences. It deserves and should exact the most careful scrutiny and consideration. I hope in a future article to deal with this evidence, but this paper is designed with *a priori* arguments.

Postponing, then, meanwhile a consideration of the phenomena which would be direct evidence of survival, we have to ask ourselves where we stand. We may start, at any rate, with a premise that is incapable of dispute, which is this: the existence of a Driving Force behind the Universe. To deny this is equivalent to the negation of all things, to throw thought, phenomena, senses, and the total human equipment into chaos, to abdicate from

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reason and even from life itself. But there is no need to fear that we are not treading here on firm ground. This Driving Force is the origin of the Universe, and I have already called it and will continue to call it God, in which word ages have summed up the mysterious and incalculable Power. Herbert Spencer has pointed out that it is impossible for the creatures of this Power to reach full knowledge or cognizance of it, that the Absolute must forever be beyond the comprehension of the Conditioned. While this must be conceded, it is also true that the Conditioned or Relative is in a position to comprehend a *part* of the Absolute. Translated into more familiar terms, if we cannot by searching find out "the Almighty to perfection," we can at least get *some* sense of Him. So far as our equipment goes we are in a case to comprehend just that amount about Him, for it must be remembered that we have postulated the trustworthiness of the instrument with which we work. What we can draw through five senses, and afterward convert in the alembic of our minds, working logically and faithfully, is the maximum of what we can know about God. There are, then, some avenues of communication open, which should serve to hearten those who are unable to accept the tenets of any revealed religion. In the provinces of astronomical and physical sciences it is possible by means of the spectrum to determine some of the elements resident in the stellar and planetary worlds. These register themselves automatically and by that means something of the constitution of the various worlds can be known. In somewhat the same way we can claim that we have registered on a spectrum certain properties of the Almighty Power. Few may be the bands and scattered, but they are there. What are they? Is it possible, for instance, to claim that "God is Love" or with Browning "All's Love, yet all's Law"? At first sight it would seem as if the reply must be in the direct negative. The emotions of man seem to be entirely dependent on and issuant from his bodily instrument. That he loves, is jealous, shows pride, displays vanity, or exhibits any of the thousand sentiments common to humanity appears due to his incorporation, to his physical structure, to the conditioned source and process of his being. If we may claim for God loving-kindness because human creatures also have it, but a loving-kindness, therefore, immeasurably greater, we may be properly confronted with an

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assertion that since we have also instincts of cruelty and base passions God must be the exemplar of these as well. Yet it would be unwise to make this dreary assumption; for it takes no account of a point of great, of significant, importance. In reviewing the history of the human race there emerges clearly above all else the continuity, irregular continuity it must be admitted, but still the continuity, of a progressive movement from barbarous passions and tastes and acts toward a greater refinement of feelings and manners and a clarified loving-kindness. So far as history in the past is any guide in inferences, we are entitled to assume the progress at an increasing rate of humanity toward an ideal of universal and perfected benevolence. I take it that this is the real reading of history.

If this be so it is fairer to judge of God by the ideals at which we can see He is aiming. Thus it would not be just to conceive of the Almighty as approbatory of the passions and barbarities from which the human race is gradually emancipating itself, always by the furtherance of His primal impulsion. Rather, logic would force us to the conclusion that the aim of God was represented by the better conditions to which we are advancing through His means. In short, we should thus have a justification for the faith that God connotes some perfected form of the elementary love which does duty among us and which is in course of refinement and purification among us generation by generation. That ultimate stage of love (language is necessarily inadequate) might well be something beside which the highest form of love, as we know it, would be but an obliterated shadow. Here surely is some refuge for our fears, some haven for our hopes. Here, then, is a band in the spectrum of God, a shining golden band of which we can make reasonably sure.

It is possible that God is characterized by a love which "passeth all understanding" and that the fragmentary manifestations of it to which we ourselves move are but broken lights in contrast with a perfect orb. Mr. Thomas Hardy, in a sad poem, has claimed that God has created a being with loftier moral views than Himself.

> "Strange that ephemeral creatures who
> By my own ordering are,
> Should see the shortness of my view,
> Use ethic tests I never knew,
> Or made provision for!"

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This is mere desperate bitterness, man with his back against the wall. Its sense is unthinkable. I prefer to answer it with the voice of another poet, Browning, who wrote—

"Do I find love so full in my nature, God's ultimate gift,
That I doubt his own love can compete with it? Here the parts shift?
Here the creature surpass the creator, the end what began?"

The ethic tests we use on earth are limited to our circumstances and improve with our improving knowledge. It is an enormous satisfaction and it is of great significance that they are firmly and gradually and solidly developing in one single direction, for it seems a natural and obvious inference that the ultimate result will be in accordance with the "ethic tests" of the Supreme Power. We are justified surely in assuming the existence and height of those from the contemplation of our own steady forward march. The vast incomprehensibility of the Power must be borne in mind at any stage of reflection. The infinite difference between man and God should render us willing to conceive God able to accomplish all things.

Outside the compass of our few senses there is, according to orthodox science, an infinite darkness and an infinite silence, yet this is filled with infinite possibilities. Let me take one slight instance by way of throwing this suggestion into the concrete. We obtain a greater degree of pleasure from rare satisfactions: to appreciate light properly it is necessary to have experienced darkness. One day of bright happiness stands out effectively in a month or year of gloom. General, current, and continuous happiness palls and reduces life to a uniform flatness. The emotional values of things are thus not *face* values, intrinsic values, but values dependent on other influences and comparisons and contrasts. They may be compared to "polarized" values, since they are imparted by external circumstances. Of a thousand suggestions this is one. Can human consciousness in other conditions be satisfied by other influences than those which come to it in this life? The values that our human experiences attach to things may, and no doubt would, undergo a tremendous extension and readjustment in the case of surviving consciousness. How can man say this or that is impracticable when he cannot even conceive of infinity or space or time? The rules which govern our visible worlds are amazing: how

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much more amazing may be the rules which govern the invisible worlds of God!

All our knowledge we must inevitably draw from Nature and the facts of Nature. If she lends evil dreams, she also lends more inspiring hopes. There is on earth a notable and unbridged chasm between organic and inorganic life. It has been claimed by certain scientific investigators for a generation or more that the division is not real and that it is only a matter of time for us to discover the connecting links. The latest theory in this direction was put forward at the time of the discovery of radium. The point, however, is this, that as yet no connection whatsoever has been made between the organic and the inorganic—the abyss has never been bridged. No passage between the two has been found practicable by any scientific man. The distinction rests as one elementary and so far final. Between the organic and the inorganic there is a break. There is no continuity. So far as we can see each involved a separate act of creation. Either there has been since the launching of the original cosmic impulse a new interposition to create fresh conditions, or the original impulse has been uninterrupted and fulfilled its course by the development of organic life on the top of and through inorganic. As I say, we have no evidence of the latter alternative, though science anticipates evidence in time to come. So, taking the former alternative, we are forced into an unescapable belief that God has intervened in the affairs of earth at a comparatively late stage in the history of the planet. There is no evidence here of immortality, I grant you; but the direct intervention of the First Cause within secular periods is an inspiring thought, indicating infinite possibilities of happenings and bringing us almost, as it were, into direct personal touch with the Almighty.

Science, however, is confident of finding the connection between organic life and inorganic. Well, if it does, there is even more reason for hope and faith. Between the organic and the inorganic is a great disparity, yet we shall be assured in the event of the expected discovery that the one has developed from the other. Let us move a little on and adapt this thought to man. Between man, with all his accomplishment, with his remarkable powers, his tremendous promise, and the lower animals is also a great disparity; yet we are assured and know that man was de-

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veloped from lower animal types. Is there not as great a difference between man and the lower animals as between organic and inorganic life? And if so, what makes the distinction? It would seem that the answer is consciousness. The difference between organic and inorganic (which are connected according to the theory I am considering) resides in the potency of protoplasm. That between man and other animals is consciousness. It is arguable that consciousness was as great and epoch-making a change or transition as was the protoplasmic mobility which originated life. Personality or consciousness is the exclusive possession of man. There is a deep significance in this fact. Man may be another stage in the design of God upon a plane as superior to other organic life as that is to inorganic.

This brings us naturally to a consideration of man's position in the universe and its bearings on the riddle we are trying to solve.

There was an able excursus some time back in the pages of a magazine over a well-known name which, among other reasonings, found in the prime position of man in the universe an argument in favor of his survival. The anthropocentric theory would be a comforting one if it were credible. We are certainly authorized by facts to assume an anthropocentric theory of the world, since man is the dominant feature of earth, but we are not entitled to assume the anthropocentric theory of the universe. Dr. Hanna Thompson roundly declares that "not one of our sun's planets, except the earth, is the abode of anything living." Venus and Mercury each turn a permanent face to the sun and hence are uninhabitable; Jupiter, Saturn, Uranus, and Neptune are in too primal a state of fluidity and gaseousness to support life; and Mars—well, when he comes to Mars, Dr. Thompson merely turns on astronomers and protests that they know nothing of life and are trenching on the province of the biologist.

This, of course, is no refutation of the favorite modern theory that Mars is peopled. As regards this question of life on the planets, it is, I think, permissible to make a preliminary observation with a degree of certitude. It is manifest that the solar system is more or less homogeneous; that is to say, that its component sun and planets are constituted of the same materials, probably out of the same original and



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primary nebula. This is one of the secrets which the spectrum has given up to us.

But an extension of this observation is possible. The spectrum also discloses the curious fact that the visible universe at any rate is homogeneous, since it is composed of identic elements with the solar system. In other words, the visible universe has been created with an economy of material which keeps it within the range of human speculation and human intelligence. There is something oddly thrilling in the realization of this homogeneity of stellar matter. We are part and parcel of the universe, almost understanding what that part is, and not so terribly different and alien from even the remotest and greatest parts. To limit ourselves for the moment to the solar system, one obvious inference from this identity of origin is that in the other planets of the system the processes of evolution are likely to be similar to those in practice on earth. That is to say, forms of life would be developed on more or less the same lines, and, failing any special interposition, the history of the various planets would be that of the earth. Local modifications, due to particular causes, would be inevitable, but the earth was once in the state of Jupiter and Mars was once in the state of the earth. Consequently it is at least practicable that life existed, if it does not now exist, on Mars. Whether it is practicable that life should come to exist on the outlying planets, in view of the decreasing heat of the sun, is a question for astronomers and physicists. Whatever truth, therefore, there may be in the anthropocentric theory of the solar system, it is clear that it is impossible to claim anthropocentricism of the visible universe. The cosmos includes countless systems of stars and, no doubt, their attendant planets. There is thus room here for countless worlds each with its own forms of life.

Interest in these considerations confines itself to the important point that, owing to the observable homogeneity of the cosmos unfolded before our eyes, there is little reason to suppose that the course of evolution in other systems has been materially different from that in our own solar system. Thus man at the culminating point of his evolution (which is not yet) might easily represent the highest development of any creature in the universe as visibly constituted. This conclusion also seems to bring us into closer touch with God and His final purposes.

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It is impossible to do more than suggest in a paper of this length some probable sources of indirect evidences. I will add one more. Professor McDonald has recently made a comparison of the "psychic force" of the universe to the electricity which pervades ether and under favoring conditions actuates wireless telegraphy. As the one is consciously gathered up for embodiment as a new force on earth, so, he thinks possible, the immanent Force or Power of the Universe of its own volition inspires life in things. The parallel may be illusory, but it is attractive and is well worth discussing.

There remains for some comment the question of Free Will, which is orthodoxly represented as necessary to any satisfactory theory of creation. This is not so, however. Free Will and Determinism are questions which follow the issue, yet one may say that to believe in Free Will would lead to the conclusion that God had chosen a roundabout method for achieving a perfect creature which He could have accomplished at one stroke and without infinite pain. To discredit Free Will is perhaps to recognize that the solution is hopelessly beyond our powers and that the scheme is infinitely bigger, and perhaps even more benevolent than we can conceive.

But, after all, the best hope for the theory of human survival lies in the fact of consciousness or personality. Consciousness marks the accession of a new property in creatures and human consciousness may be considered the measure of the status of manhood. Immortality might be denied to unconscious life without the same wrong or injury which its refusal would inflict on conscious life.

What, then, has this sifting achieved for us? Nothing much, yet something. What I seem to myself to have proved in the foregoing arguments is this:

1. That *a priori,* in the way of indirect evidence, knowledge of the First Cause and any of its workings is only cognizable through the few senses which are the sole avenues of knowledge and must conform to the limitations of these.

2. That even under these constricted conditions we are enabled to deduce that there is nothing to indicate the impossibility of survival; but that, on the contrary, certain signs point favorably toward it, among these (*a*) the probability that the ethical standard which is in process of development here adumbrates a Divine standard of infinite

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perfection, which will not contradict the demands or claims of our highest morality; (*b*) the signal fact of human consciousness in contrast with the absence of consciousness in lower organisms, which are thus differentiated in kind; (*c*) the chance, which is even a probability, that man at his highest development will represent the highest achievement in the visible cosmos.

Thus far it is possible to go on *a priori* grounds and no farther. And for many earnest people the investigation seems to close here. It is probable that others envy at once those who are willing to accept less than the Immortality which has been the subject of these pages, and those who have free and unfettered faith in it. But one must take up one's faith boldly, such as it is, even if it be only that which Tennyson phrases as faintly trusting the larger hope. It is possible even from *a priori* considerations to believe in that "far-off divine event to which the whole creation moves," and considerations such as I have set forth above confirm that belief. They may seem cold and comfortless considerations, but they have the merit of taking nothing for granted. The deep silence of Space seems to make no answer at first to man's questioning, yet underneath, if one listens intensely, there are sounds audible, sounds of jubilation, sounds of pain and of suffering; and underneath, still deeper and still fainter but still audible, are the sounds of Hope, even if it be only that Hope with bandaged eyes and muted strings whom the great imaginative painter depicted adrift in cosmic space, listening for the secret of the Universe. Our eyes are not so wholly bandaged but that we can see light; nor are our ears so deaf that we cannot catch the music of the spheres—even those of us (of whom I am no longer one) who are unconvinced of Immortality by the direct evidence which the labors of devoted investigators have gathered for us during the last thirty years.

H. B. Marriott Watson.

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# THE THREE FALSE WOMEN OF LLANLAR

BY HERMANN HAGEDORN

*Bess.* It's a cold, cold wind blows in from the sea.
*Moll.* It's a stormy night we shall have this night.
*Bess.* I've a bed in my attic. Come lodge with me.
I'm afeared o' the wind and the wild moonlight.
*Joan.* Afeared! Afeared! The dead sleep sound.
*Moll.* Will they bury him now?
*Bess.* Will they bury him deep?
*Joan.* There's never a bed for *him* in the ground.
It's high in his rattling chains *he*'ll sleep!
*Moll.* I'm afeared, I'm afeared!
*Joan.* Girl, hold thy tongue!
*Moll.* I'm afeared of his eyes so straight an' still
Astare at his true love till he swung,
And she fainted over her window-sill.
*Joan.* It's half-way back to the town we are!
We'll be lodged an hour before the night.
*Bess.* Oh, her face in the window was like a star,
As cold, as far, and as white, as white.
*Joan.* The Devil made ye o' craven stuff
Atremble for ghosts at dusk o' day!
At the Magistrate's ye were brave enough
When ye went and swore his life away.
*Moll.* I was sick wi' love and bad wi' hate.
*Bess.* And 'twas thou, Joan, that made us swear!
*Joan.* And now it's done, and his pretty mate
Wears black; and never a babe to bear!
*Moll.* The dark comes soon to-night.
*Bess.* The dark!
*Moll.* And it's heavy my feet are!
*Joan.* The village is nigh.

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*Moll.* And it's here, Joan, it's here is the Fork
Where ye tempted us to swear the lie!
*Joan.* Quick, on!
*Moll.* They clutch me!
*Bess.* Mother o' Christ!
*Joan.* Leave her!
*Moll.* The night is all hotness and blur!
*Bess.* Joan, Joan, my feet are vised
In a cloven rock, and I cannot stir!
*Joan.* It's the fear has got ye, body and blood!
*Moll.* Joan!
*Bess.* The fiends!
*Moll.* They choke me with hands!
*Bess.* Joan!
*Joan.* Who holds me? Who plucked at my hood?
*Moll.* They burn my eyes wi' their terrible brands!
*Joan.* What imps possess ye? Come swift, come swift!
Give me your hands!
*Moll.* Joan!
*Bess.* Joan!
*Joan.* Who clutched me?
*Moll.* I saw the mountains lift!
And on a gallows I saw a man!
*Joan.* Give me your hands, I'll drag ye loose!
*Bess.* Joan!
*Moll.* Joan!
*Joan.* What weight's on my feet?
*Bess.* Hangman, stand back!
*Moll.* A noose, a noose!
*Bess.* Stand back wi' your cap and your winding-sheet!
*Joan.* They've tied my body with icy bands,
And it's cold is my flesh and hard as bone!
*Moll.* Joan!
*Bess.* Joan!
*Joan.* Your hands, your hands!

*But the three false women of Llanlar—were stone.*

HERMANN HAGEDORN.

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# DEMOCRACY AND THE RESCUE OF FRENCH CULTURE

BY ALLAN BALL

France has been called a nation of doctrinaires. That may be the reason why they quarrel so well in France. And when, as at present, they are quarreling over a "crisis" which is fairly reducible to the compound problem of whether and why they are losing the very genius for "clarity" which enables them to do it so well, the controversy, even if it be not blazoned in large letters upon the bill-boards, is well worth other people's turning aside to see.

Few of us need to be reminded that "what Paris thinks to-day France will think to-morrow and the world the day after." Yet no one seems to be on record with an explicit proposition to leave any particular problem to France to settle for the rest of mankind—nugatory allusions to the sartorial pre-eminence of the *rue de la Paix* notwithstanding. But if any one nation were to be delegated by mutual consent of all the others to consider and determine for the world what educational material is best suited to turn a crude human being into a cultivated one—more particularly speaking, to settle the humanistic controversy and, incidentally, whether culture is really worth while—France might well be the nation delegated.

The crisis in French educational methods of to-day is not, indeed, simply a phase of the classical controversy, though it is substantially that. It is part of the broad problem of efforts to adapt education to changing conditions of life. And everywhere, of course, the classical controversy has its varied complications, sometimes locally accidental, sometimes intimately significant. The advantage of France is that there, even if sometimes these seem momentarily distracting, they nevertheless in the larger view help to focus

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attention upon the real significance of the main issue. We, for instance, allow ourselves to fumble with the word "culture" till for very vagueness it wrongs the phariseeism of the original Pharisees—who at least stood for something definite—and sheer boredom almost puts the word culture out of court. In France *la culture française* has a perfectly definite reference to the arts of expression in the vernacular of the country. We need not here go into the fundamentals of the question why a dead language is so excellently useful an instrument for securing a mastery of those arts of expression. But the fact that that mastery is the most important thing that one may hope to get in school at all is at the bottom of the whole matter.

Those aspects of the French discussion, moreover, which seem superficially farthest afield, are really not distractions, but efforts to root the educational problem in the great underlying social movement of our day. It is this which, in a France anxious with the questions of modern radicalism and shocked and depressed by its occasional excesses, gives an almost romantic interest, by a strange paradox, to the classical controversy. So we see, in one of the most widely discussed books of last year, an attempt to show that what one would assume to be the very citadel of French culture, the Faculty of Letters at the Sorbonne, is intrenching itself against the very spirit of culture. And a few months later there is organized a league *Pour la culture française*, headed by a famous man of letters, supported by a mighty array of great names, including those of nearly the entire Academy and many others important in quite other ways, and while protesting, almost derisively, one would think, that it has no political significance whatever, aiming to force the undoing of educational "reforms" with which politics have at least had not a little to do.

Very serious changes have taken place in French educational methods during the past ten years, which have been obviously eventful years in French political life as well. They have seen the disestablishment of the Church. They have seen a progress in the social movement that has gone far toward disestablishing the *bourgeoisie*. And France would not be France, with a highly centralized educational system, and with a belief in the relation between education and life which has the courage of its logic, if these political events had not been related to the educational changes.

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The quick connection between political ideas and the school-room received a curious illustration in the French Senate last summer, in an incidental discussion of anti-militarism, which is well known to have made no slight progress among French school-teachers. One day, during the excitement over the Franco-German Moroccan negotiations, one of the senators expressed the hope that the Minister of Public Instruction, who was present, would not discourage the "pacific" tendency in the instruction of children in the public schools. But a colleague gravely protested, "This is not the moment to enervate patriotism by *des theories pacifistes*" and was applauded by the entire Senate.

Even for that sinister form of anti-social destructiveness, *le sabotage,* the wanton brutality of the under dog, which seems to have been so ominously upon the increase in recent years (though the synthetic effect of its newly coined name upon the journalistic imagination may help to account for its extreme frequency in the newspapers), the ironic penetration of the political cartoonist has found a whimsical relation with the educational system. *Le Figaro*, not long ago, contained a sketch by Forain showing a couple of *saboteurs* laid up for the night and one of them remarking to the other, "I hear they are going to *decorate* the school-teacher who taught me to think."

The bitterness of the irony overlies the profound belief, irrelevant though the grim joke may seem, in the effective relationship between French schools and the propensities of French citizenship. And whatever the national traits which are behind the centralized system of administration, it is certainly one great effect of applying that system to education, that the problem of culture and utilitarianism is so consciously loaded as it is with the broader issue of democracy against political reactionism and clericalism.

Prior to 1902 the French secondary schools, the *lycées*, were strongly classical in their character; and the examinations which at the end of a student's course in the *lycée* were given by the university to pass him for the bachelor's degree consisted very largely of literary tests, especially of his ability to write well in his own language. The changes which have taken place since then have all been in the direction of "modern" training, toward early specialization, toward what is supposed to be an immediate equipment for

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a special career. The difference, as usual, is not merely of the subjects studied; it is of the motive for studying them. In 1902, instead of the old substantially uniform classical course in the *lycées*, there were established four groups or "cycles," ranging from the full classical programme, through different combinations, to the fourth, which is wholly modern, all admitting equally to the examinations for the bachelor's degree. This change has been followed by others of related importance: the practical absorption in the Sorbonne of the *École Normale Supérieure*, the *reforme de la licence* in 1907, whereby the general examinations of a cultural character, especially in Latin and in French composition, were largely displaced by examinations concerning specialized research, and the decrees upon *les equivalences primaires* in the spring of 1910, by which certain of the higher grades in the primary system were accepted as qualifying for admission to the university. It should be remembered, by the way, that the French "secondary" system is not simply superimposed upon the primary system of schools, as with us, but diverges from it at a comparatively low grade, so that the upper grades of the primary system are in a sense parallel to the secondary, though with their utilitarian purposes they are very different in character.

Meanwhile, for several years there have been cumulating complaints that young Frenchmen presumably educated were losing their ability to use their native tongue with the old-time clearness and correctness, not to say elegance and distinction. A dozen years ago or more the complaint was of the intrusion of alien elements into the French vocabulary. But now the question is more radical. It is of the loss of that quality in writing which comes of clear and disciplined thinking, particularly the feeling for effective arrangement and a keen sense of the values of words. University examiners have reported this decadence in those who come up for degrees. Prominent men of affairs have deplored it in the young men beginning their professional careers. Frenchmen are intelligently quick to take a serious view of such things. Hence *la crise du français*; and the very word "crisis" has become a profession of faith or a timely jest—the bright young paragraphers are finding crises everywhere—according to one's point of view.

In the latter half of 1910 there appeared in *L'Opinion*,

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over the Platonic signature of "Agathon," a series of articles calculated to focus all this conservative dissatisfaction. Early in 1911 they reappeared in Agathon's completed book, *The Spirit of the New Sorbonne (L'esprit de la nouvelle Sorbonne)*, with the subtitle *La crise de la culture classique, la crise du français.*

The subtitle not only touched the susceptibilities of intellectual Frenchmen at a tender point; it offered the explanation, not new of course, but epigrammatically condensed, for that deterioration in the use of the instrument of thought which constitutes the crisis. The book is largely devoted to showing that the coincidence of the changes in education and of this deterioration is not accidental, and that the obvious remedy is a return to classical teaching as the best means of securing the results desired. The two great phases of opposition to classical education are effectively delineated in Agathon's analysis of the spirit of the "new" Sorbonne: sociological utilitarianism and the inundation of misapplied "scientific method"; and the latter is the trouble that he seems to feel most keenly. Agathon's complaint, be it noted, is not against science in its proper character. For the Faculty of Sciences he has no unpleasant words whatever. It is the Faculty of Letters that he is attacking, and the group of men whom he undisguisedly regards as an oligarchy within it whom he holds, representatively at least, responsible for the damage to French education.

The titles of his three leading chapters tell a plain tale: "The Sorbonne against classical culture," "the Sorbonne against philosophical culture," "the Sorbonne against secondary education." And the assault was so vigorous and so amply supported that answers of some sort had to be made. Dean Croiset himself, great Greek scholar though he is, and certainly not the particular object of attack, made on an official occasion, even before Agathon's articles had been republished as a book, an urbane reply belittling, so far as possible, the whole agitation over a crisis in French culture. But the defenses have been various. Some have simply denied the existence of a crisis. A radical Deputy in the Chamber not only asserted that the crisis does not exist, but tossed the charge of pure *snobisme* over into the camp of the humanists. More generally the modern "Sorbonists" have admitted and regretted the facts and

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laid the blame upon the secondary school. This reply, however, had been fairly anticipated by Agathon's answer: the academic changes which have made it possible for a student to come up from the *lycées* to the baccalaureate in such an evil case are not the work of those who are engaged in secondary teaching, but are imposed upon them from above, thanks to political influence and the dominance of a few individuals in the Sorbonne itself.

The object of Agathon's most especial distaste is the ostentatious flaunting of pseudo-scientific methods in subjects to which scientific methods of the external sort have little or no natural application, *la superstition scientifique,* the craze for scientific methodology as a Procrustean scheme for all things educational, superseding the older ideal of a human being with a mind to be developed. Rather sardonically he observes how university teaching of literary subjects has been assimilated to the methods of laboratory practice in the physical sciences. A study-room, for instance, has become a "laboratory of French philology," a "workshop of scientific manipulations." Gathering and arranging, it would appear, are the typical scholarly processes. Philological investigation has become a matter largely of lists and statistics. Literary commentary is restricted to objective, external facts. Subjective interpretation of a text, to say nothing of "appreciation," is not only out of fashion; it is officially condemned. The word "practical" has become a touchstone, not indeed quite as in the American use of it as an all-embracing slang expression of the popular ideal, but to point the analogy of the processes of literary commentary to those of physical science.

The present school throws back the taunt of "dilettantism" and "rhetoric" at the older style of literary teaching. "Rhetoric" is the bad name for the academic dog. Of course the denunciation of rhetoric is itself a rhetorical device; moreover, the word has certain connotations in French educational technique which it has not to us; but one wonders whether the tables would not be a good deal turned about if the friends of the dog were to call him Applied Literary Psychology instead. He might be discovered to be quite in the fashion. And the plausible attempt to show an opposition between elegance, contemptuously credited to the old style, and precision, somewhat too confidently claimed for the new, is a fine mistake, for real ele-

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gance and real precision are almost inseparable. The spectacle of a literary man sneering at rhetoric is only a little less unpleasant than that of a theologian sneering at theology.

But research is for facts, we are reminded, not for style; and research is coming to be the method and the end of all higher education. The aim of the teacher is to make his pupil a productive scholar—to make him a "producer," in fact, before he is himself produced. Agathon has some biting paragraphs upon the relative value to the student himself of the external procedure of his "research work," *ces besognes d'erudits vieillots,* and the studies of the students of a former day. Even for the claim that the method of historico-scientific research makes students industrious, real "workers" in the cause of knowledge, he is obdurate, and shows up the mechanical methods of the prevailing fashion, bibliographical compilation, classification of "cards," and the like, as tending to produce a race of intellectual softlings. All this worship of the bibliography and passion for the card catalogue—*la manie des fiches*—he insists, favors a very illusory sort of industry after all, and calls for much less real mental exertion than the older educational processes: it is composition which is the really redoubtable task of the student, not the collection of facts; moreover, clear expression is the indispensable accompaniment of clear thinking. Scientific method has become an obsession in the modern academic mind. *Fetichisme, illusionisme scientifique*, are some of the lively terms with which Agathon diagnoses the case.

One may venture the guess that some part of the emotion behind Agathon's attack is the reaction of sheer boredom at the wearisome reiteration of the gospel of research by its often half-fledged but devoted disciples. It was an American university president who characterized the student body in most of our graduate schools by the term "industrious mediocrity." At any rate, one doubts sometimes whether all this unbreeched zeal for making contributions to the world's store of knowledge does not actually leave a trail in the fields of scholarship analogous to that of the young rural trespasser who tramples the tall grass in a meadow before the real haymaker the more angrily takes up his task. Boredom with this sort of scientific earnestness on the part of those whom Max Nordau not long since ruthlessly

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classified as *les demi-talents* is, no doubt, somewhat a symptom of the intellectual *boulevardier* and tends possibly to weaken the seriousness of the attack. But the boredom of the Boulevards is, after all, a useful sign, perhaps, when things have gone far enough in a particular direction.

Another note for the *boulevardier,* and an odd variety of distraction from the real educational issue, is the appeal to French nationalism against the influence of the German seminary. "It is the imitation of Germany which has obsessed us," says Agathon in his preface, and denunciation of the intellectual influence of the victory of 1870 is one of the points of departure for his book. Scientific methodology as against "literature," specialized "research" as against subjective culture, are not necessarily inconsistent with a high degree of attention to classical philology; the performances of German scholarship are evidence enough. But the traditional French conception of classical study has been something quite different; in fact, classicism and philology are clearly contrasted things in the French mind; and the opposition has derived a peculiar piquancy for French patriotism from the fact that research, as it has latterly assumed predominance in the Faculty of Letters at the Sorbonne, is so distinctly of the type from beyond the Rhine. "Does such a system of education conform to the special qualities of our race?" demands Agathon as the dominant question. Such criticisms as we in this country are accustomed to see when the rampant newspaper editor falls upon the methods of producing doctors of philosophy, take in France an added zest from the German associations of all that sort of training. Moreover, there has latterly seemed to be some tendency in Germany itself to react from dry *minutiæ* and carelessness of style toward general ideas and that attention to artistic presentation which have been so characteristic of French scholarship. M. Emile Faguet, writing in the *Revue des Deux Mondes* more than a year ago, remarked upon it as a good thing that each nation has been trying to correct its tendency to excess in one direction by exerting itself in the other. But Agathon and his allies deplore the signs that Frenchmen are throwing away the birthright of their special national genius just at the moment when the Germans are trying to take it up.

The logical objectionableness of such a national *argumentum ad hominem* is certainly palliated by the intrusion

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of politics on the other side of the controversy. No doubt in any such warfare it is humanly natural to try to link with the adversary's cause as much of adventitious offense as possible. It seems, at any rate, an additional complication for the humanistic controversy that in republican and secular France institutions of the Catholic Church are counted prominently among the defenders of classical education; and clericalism is familiarly linked with political reactionism of other varieties.

But the serious reasons which have given the anti-classical propaganda in France its claim to association with political radicalism are sociological and utilitarian. The utilitarian motive seems to press harder and harder everywhere, but in France especially what one may venture to call the theory of the practical has been very significantly interwoven with the whole question of modern democracy. There is splendid allurement in the conception of a vast variety of educational opportunities in the school system of a nation, offering to every class in society whatever it may need to equip or enrich its life. And there is a pretty parallel in the theory of a democracy of studies, with no superior pretensions for any educational subject whatever, a theory that not only has its analogue in politics: it actually has been made a political issue in the debates of the French Parliament. Democracy there has taken hold of educational problems, and demagogy perhaps must have its fling.

Educational demagogy in educational circles themselves would seem to be a fair interpretation of Agathon's complaint against them. The worship of numbers, which is a familiar reproach upon university administration, can be euphemistically explained as the effort to make the university meet the wants of society—to suit the supply to the demand. The results in terms of popularity being encouraging, the tendency appears as a most plausible utilitarianism with reference to the university itself. Its relation to the broader phases of utilitarianism in society as a whole is an obviously large share of the present problem.

The theory of secondary education in France—which leads to the bachelor's degree—has been that it was a training of the mind, not technical nor vocational, but preparatory to either of these. Plainly the leisure and the money to spend upon this enrichment of life and opportunity belong to a social class above the lowest. Hence the opposition, since

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the entire educational system is under political control, to this privileged part of it by the radical democrat against the *bourgeois*. With the aim of making its graduate a cultivated person, the *lycée* has proceeded, consistently until within recent years, upon the theory that certain subjects of study were especially well adapted to secure this result. In point of fact they had attained this position of eminence by inheritance—or by evolution, according as one chooses to put it—rather than by contemporary competition. This is undeniable, and of course it is enough to account for many black looks from the apostles of the latest and the popular. So the claims of these subjects to an aristocratic pre-eminence has been contested. Since the reforms of 1902 the tendency in French collegiate education has been more and more toward an "equality of sanction" among programmes, the analogue of democracy. The net result has been to place subjects of quite various educational effectiveness upon a practical equality in educational standing.

With this the case, it is very obvious that in the present state of the popular mind the "modern" studies have decided advantages in attractiveness to the greater number. In the first place, they are professedly "up to date," and whatever this may mean in particular cases up-to-dateness is a word to conjure with. Their utility, though it may in fact be potential, rather than actual, is plain and on the surface instead of intangible and subtle. It seems apparent to the crudest parental mind. Moreover, they are generally easier, measured in actual mental effort: hence a part of their allurement to the youth immediately involved. And there is vast popular reverence for the word *science*. Anything called by that name claims and gets the sanction of the real religion of to-day. But naturally the crude public has not a clear notion of what scientific processes are. Naturally the name tends to go with the more external aspects of the thing. The plain acquisition of facts—information—is a bulky element in the prevalent idea. And the element of presumed commercial utility is rarely far in the background when the question of scientific popular education is to the fore. The transformation of the French *lycées* has been described by M. Alfred Fouillée very summarily: the primary system has invaded the secondary system *sous le nom trompeur d'enseignement moderne*.

The ideal of social adaptation has largely superseded the

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old ideal of the perfecting of the individual mind and character. One may regret this change of ideal, fancying that the individual is, after all, the necessary unit out of whose kind the community has to be formed. But Professor Durkheim, who speaks for sociology at the Sorbonne, is quoted as cheerfully dispensing with him thus: "The individual being disposed of . . . there remains only society." No doubt it is upon doctrine like this, the "mysticism of the new school," that the defense of primary specialization must rest. The meaning of life to the individual being ignored, the utility of the individual to society is solely to be considered, though even for this it is evidently a begged question whether the individual will attain his normal utility to society if he is trained only for his special work.

The French partisans of that modern training which is presumed to adapt men better and more immediately to their functions in society have fallen, in their attitude toward classical education, upon a curious political inconsistency. Democracy in education requires—Professor Gustave Lanson, for instance, insists very well—that the secondary system of instruction should be free, as the primary system and higher education already are. But then, he continues, the *lycées* should receive the wider clientele of lower average social status with "appropriate" educational programmes. That means utilitarian training for immediate application to the students' work after their schooling is done. In other words, secondary education, to be democratic, with an equal chance and a fair show for everybody, must be put upon a level that will appeal to the immediate wants of the greater number; and higher education, accordingly, must be put upon a similar rough-and-ready basis so far as its prerequisites are concerned. The old-time classical training obviously does not meet these requirements.

Meanwhile "the question of the Latin" having got into politics, the upholders of classical culture must be conciliated, too. On one occasion M. Steeg, the Minister of Public Instruction, spoke of the classics as quite too high and fine for most of the students, and to be reserved for the education of the best minds among the rising generation of an intellectual aristocracy—a view in somewhat comical contrast to that offered for proletarian satisfaction, and also to the related presumption that all studies are democratically equal among themselves.



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The practical motive in the whole affair seems to be the desire of those who do not want to take the course of study that should make them intellectual aristocrats, nevertheless to secure eligibility to all the material prospects and professional privileges to which the more rigorous course of study used to be prerequisite. The appeal of this desire is an obvious invitation to political interference with educational programmes. If we may trust the critics, the methods that have been coming to prevail are directly calculated for the upholding of mediocrity and against the ripening of individual talent. Hence again, and in spite of occasional consoling words from the ministry of public instruction, the old issue between democracy and the élite.

Meanwhile, to the claim of superior practical efficiency for the "modern" type of schooling there is no lack of skeptical replies. Those that bear the hall-mark of university circles, such as have not assumed the cheerful rôle of popular leadership by adroitly taking a seat upon the top of the popular wave, are of course subject to the discount that is always charged upon the reactionary. But there is even a journalistic validity in such a protest as the now famous letter of M. Guillain, head of the steel industry in France, to the Minister of Public Instruction in November, 1910, urging the restoration of that preliminary classical training which would make young engineers and technical specialists able to express themselves in effective and intelligible reports, and otherwise, as he said, qualify them for a broader outlook upon their work.

Early last summer these various movements of discontent with the recent tendencies in French education condensed themselves in a definite organization for the effective urging of a counter reform. About the beginning of June there appeared in the public press, over the distinguished signature of Jean Richepin, a "manifesto" reviewing the series of injurious reforms in French education which have been referred to, by which, as he said, "the unity and the integrity of our system of studies have been definitely compromised," calling attention to the observed damage in the intellectual qualifications of the rising generation and inviting concerted action "for the defense of French culture."

His appeal attracted immediate adherence, and not many days had passed before the new *Ligue pour la culture française* had figured in the educational debates of the French

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Parliament. Early in July M. Richepin wrote in further explanation of the idea:

"The League for the defense of French culture is born of the crisis of the methods which have little by little disorganized and overthrown our national education. Secondary classical education, what was once called the humanities, had no other object but to give the intelligence a general preparation, apart from all professional specialization. . . . The soil that is to be sown ought to be prepared. The more deeply it is tilled the richer will be the crop. To-day we content ourselves with sowing on the surface."

After amplifying this theme with reference to the recent programmes he continued:

"Such are some of the facts to which our League will call the attention of the public. The defense of the humanities, of the study of Latin and Greek, the re-establishment of classical secondary education in its unity and in its spirit, such will be the particular direction of our action."

In his original manifesto M. Richepin had urged the patriotic importance to France of maintaining its solidarity with the past, with that "Mediterranean civilization" of which France is so direct an heir. Opponents like M. Georges Batault, who appeared as a protagonist of the other side with a long article in the *Mercure de France* last year, have no use for this continuity. As a radical exponent of the new industrialism M. Batault seeks to link the cause of the classical humanities with all the decadent tendencies, alleged or actual, in the France of the present day. But there is no true antagonism, insists M. Richepin, between the humanities and either scientific culture or "modern society, which, lest it turn to demogogy, requires an intellectual élite. . . . It is, then, apart from all spirit of party that one can attach himself to the cause of the humanities." And in the very concluding words of his proposal he finds it expedient to reiterate that it is "without the slightest political color or motive."

This is a precaution which the atmosphere of the classical controversy as we are familiar with it in this country does not as yet require. The assertion must reflect more of desire on M. Richepin's part than of confidence, for the political radicals find it a useful appeal to their gallery to make this a party question. In a sense the purposes of the League are non-political. Its recent publication* of an admirable demonstration of the educational utility of the

* *Les Sciences et les Humanités.*

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classic languages by the distinguished mathematician, Henri Poincaré, is an evidence of what it aims to do. It seeks to form public opinion.

But public opinion expresses itself politically, more obviously so in France than anywhere else. And changes in French educational programmes have practically to be brought about through the action of a minister who is the representative of a political group. French legislators find educational matters quite too interesting for them to keep their hands from. The legislator, moreover, whatever be his actual limitations, professedly represents society at large; and he is not, as a rule, an educational expert. When the budget of public instruction comes up for debate a Deputy or Senator is generally on hand to renew the familiar assault.

It is too early yet to foresee what may be the result of the efforts of the League for the defense of French culture. There are some grounds for fearing that the ruling powers of the democracy are inclined to be a little deaf to the arguments of the élite. It is conceivable that democracy should simply be making a gross mistake. We have seen politicians nearer home inveighing against a college education and all that that suggests, but here it is obviously claptrap, or at worst a mere manifestation of feeling; there this sort of thing may rise to the baneful dignity of a public policy. And the more impatient defenders of the classics are in some danger of assuming that tone of futility which is a familiar reaction against triumphant overweening crudeness. But whatever be the outcome, the constant insistence upon education as a direct national enterprise, the enthusiastic intention to make it representative of the nation's latest ideals, coupled with the paradoxical peril, in the very center of cosmopolitan influences, of that provincialism of up-to-dateness which is so characteristic of our time, make France at present the most interesting battle-field of the humanistic controversy. Or to revert to our earlier fancy, it is the alembic in which we may soon see indications of the color of the future.

ALLAN BALL.

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# ALFIERI AND AMERICA

BY VIRGINIA WATSON

To all Europeans of the eighteenth century who suffered from the oppressions of the old régime, or who eagerly watched for the dawning of the new, George Washington appeared the ideal deliverer, the first-born son of Liberty. To him were given (if the story be true) the key of the Bastile when that stronghold of tyranny fell; the loyal friendship of Lafayette, who in writing to Franklin rejoices that he has "served under that god-like hero's orders"; the devotion of other *condottieri* of freedom in the cause of the New World, and the intense admiration of Italy's great tragic poet.

And to the American patriot Vittorio Alfieri dedicated his tragedy "Brutus the First"—"To General Washington, the most illustrious and free of men."

The following is a translation of the letter which accompanied the drama and the dedication:

"PARIS, *31st December, 1788.*

"No name but that of America's liberator may precede the tragedy of the liberator of Rome.

"To you, honored and most excellent of citizens, I dedicate it, leaving altogether unmentioned those eulogies which are your due, since your name is in itself an epitome of them all.

"Nor must this brief word of mine appear to you contaminated by adulation; for not knowing you in person, and separated from each other as we are by the immense ocean, we have nothing in common but the love of our country.

"Happy are you who have been able to give to yours sublime and eternal foundations, to have demonstrated by deeds your love of your fatherland. I, although not born free, having early left my Lares and for no other reason than that I might be able to write of liberty, hope to have shown by this step at least what would have been my love for my country had fate been kind enough to have given me a real one. This is all that gives me a claim to consider myself not altogether unworthy to mingle my name with yours."

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To the Piedmontese poet, inspired by a scorn of kings and the love of liberty, there were but two paths in which his ardent spirit, chafing at the servilities of eighteenth-century Europe, might wander and be free from the shadow of courts, where the Lord's Anointeds still arrogated to themselves the devotion and serf-like homage of all their subjects. By one, backward across the plowed fields of time to the classic lands of Greece and Rome, to the companionship of those patriots whom the poet all but worshiped; by the other, westward over a waste of waters, to where a new people was struggling to achieve its independence.

That Alfieri, envious of the fate which had given to Washington the chance to achieve so much for his country, did not boast when he speaks of leaving his own land in despair, in order that he might at least *write* of liberty, is proved by the following quotation from his autobiography:

"A law existed at this time in Piedmont which ran thus: 'It is enacted that no one shall print books or other writings out of our states, without permission of our censors, under the pain of incurring a fine of seventy crowns or corporal punishment, if circumstances render it necessary to exhibit a public example.' To this law is subjoined another still more iniquitous, worded in the following manner: 'Those subjects who inhabit our states shall never absent themselves without our express authority in writing.' Hence it is evident that I could not be both a subject of his Majesty of Sardinia and an author. I chose the latter, and being an enemy of all chicane and subterfuge, I took the most direct road to disenfranchise myself by resigning the whole of my property to my sister Julia, who had married Count Cumiana. This resignation was executed in the most solemn and irrevocable manner. I only reserved to myself an annuity of 14,000 livres of Piedmont, which amounted to little more than half of my original revenues. I would even have been contented to resign the other half to have purchased the freedom of thinking and writing, and the liberty of choosing my place of residence. It is impossible to convey an adequate idea of the delays and embarrassments I experienced before I could terminate this affair. . . . Happily the king, who certainly knew my peculiar mode of thinking, of which I had offered the most unequivocable proofs, was better pleased that I should leave his states than remain in them; he therefore immediately consented to my request; we were both pleased, he to lose such a subject, and I to acquire my liberty."

An interesting revelation of the frankness with which he records his own weaknesses is the paragraph which follows:

"I cannot help mentioning here a strange circumstance in order to console my enemies, and make those laugh at my expense who on examining themselves more nearly should discover that they are either less mad

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or less childish than I was. . . . The fact is, that even at the period when I wrote *Virginia* and the work on *Tyranny;* when I broke the inglorious chains which bound me to my native country, I continued to wear the uniform of the King of Sardinia, though I had left his service for more than four years. What will philosophers say when I frankly acknowledge the reason of this? It seemed to me that I looked better and handsomer in this than in any other dress. Laugh, readers; you have reason, and if you think proper, to add that, like a child, I was more anxious to appear to advantage in the eyes of others than estimable in my own."

Yet, in spite of Alfieri's sincere efforts at self-analysis, he was never able—who of us is?—to solve the riddle of his own personality. The following sonnet shows us the man almost as distinctly as the portrait of him in the Uffizi Gallery; but neither the painter nor the poet could unveil the mystery which lay in his features and soul:

"Thou mirror of veracious speech sublime,
What I am like in soul and body show;
Red hair—in front grown somewhat thin with time—
Tall stature, with an earthward head bowed low;
A meager form with two straight legs beneath;
An aspect good; white skin with eyes of blue;
A proper nose; fine lips and choicest teeth;
Face paler than a throned king's in hue;
Now hard and bitter, yielding now and mild,
Malignant never, passionate alway,
With mind and heart in endless strife embroiled,
Sad mostly and then gayest of the gay.
Achilles now, Thersites in his turn:
Man, art thou great or vile? Die, and thou'lt learn." *

This sonnet and the beautiful one to Melancholy, perhaps the most subjective of all his works, prove that the tragic poet was no mere survivor of classicism, sleeping, like one of the seven Ephesians, amid the ruins of Italy, while the mists of the Middle Ages, rising from the sea of faith and the stagnant pools of superstition, drifted into strange vaporous shapes of beauty and horror unheeded by his closed eyes. No, he too had felt, though far less than most of his contemporaries, a breath of Romance.

Yet he is classic as no other modern, classic in feeling, form, and restraint. The modern complexities find no place in his dramas; the three unities do not hamper his imagination; he walks naturally in a toga and has not the appearance of a masquerader.

Therefore, it is natural that, even apart from his glori-

* A translation by W. D. Howells.

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ous achievements, Washington's simple, austere character—which might have been one of his own creations—appealed strongly to Alfieri's admiration. In him he beheld a hero fit for the greatest tragedy, which, luckily, the Fates had no desire to compose or to see acted. Perhaps the ocean between the patriot hero and the tyrant (poor George III., the appellation is far too strong for him) made the Unity of Place impossible; and as the dread Sisters are, I suppose, still denizens of those lands where this rule of the drama was punctiliously observed, they would not, of course, see fit to disregard it.

There is a certain resemblance between the histories of Italy and America, in the formation of one nation out of many States differing from one another in race and custom. Both were welded together by the oppression of distant rulers. Were Alfieri living to-day he could now at last claim a fatherland. He was the first to conceive of a united Italy. D'Azeglio, his compatriot, writes of him: "And his first and greatest merit was, to my thinking, that he discovered Italy, so to speak, as Columbus discovered America and initiated the idea of Italy as a nation."

In his day and for long afterward it might reasonably have been supposed that the idea of freedom and unity was banished forever by the alien rulers who governed the numerous kingdoms and duchies of the Italian Peninsula. Yet there were hearts in Piedmont, Tuscany, Venetia, Naples, and the States of the Church that thrilled at the word Rome, resonant with glorious memories, which, like a stone cast into the still waters of a deadening despotism, set in motion ever-widening circles, spreading to the shores of the past and sending little ripples of hope up on the sands of the future. That word, the symbol of the Italy as yet unborn, awakened in all divinely discontented spirits pride of those days when the world was conquered and ruled from the Golden Milestone, and hope for a new era of liberty and self-government.

It was the merit and the good fortune of Alfieri that he was the one to echo, prolong, and strengthen this old melody that had never quite died out in the land of Brutus, the Cæsars, and Rienzi, until Italians of all the provinces learned to sing it in chorus once more.

To us foreigners—"*forestieri*" (outsiders), as they call us—it is difficult, particularly in the mere closet-reading, to

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feel the charm and power of these dramas which have so influenced his countrymen. The language is stilted, more difficult to understand, and less near to us than the more familiar *terza rima* of Dante. Like most of the cultivated continentals of his age, Alfieri was, in his youth, much more at home in French than in his own tongue, which later he set himself to learn to write as one would a foreign language, eschewing for a while the company of all his acquaintances who did not speak a correct and elegant Tuscan. Yet it is impossible to deny the effect of one of his tragedies when well acted, as those can testify who were fortunate enough to hear his "Saul," given in Florence in 1903 on the centenary of the poet's death. The venerable Salvini issued from his retirement, and together with his son Gustavo—the ideal David in appearance and manner—relying solely on the inspiring lines of the drama, since the scenery was of the simplest, charmed a large and modern audience. But in order to gain this result it is necessary, where, as in the classic tragedies, there is so little action, to possess, as these two pre-eminently do, the perfectly clear and intelligent enunciation so seldom heard on the stage of to-day. Alfieri when settled in Florence often acted in his own tragedies, and one wonders with what success. It would be interesting to know whether Washington ever read "Brutus."

Though Alfieri's dramas possess comparatively little interest for us, his odes have a far stronger claim on the attention of American readers. In 1784 he published five odes entitled "L'America Liberata." Their style and language are impassioned, and it seems strange, when everything of interest relating to that stirring period is cherished, that these odes have been forgotten by us, if in truth they were ever really known. Therefore I give here a short synopsis of their contents and the translation of some of the most easily detached lines.

In the first ode he recounts the causes of the Revolution and, speaking of America prior to the outbreak of hostilities, writes:

> "Where 'neath the shade of laws inviolate
> A folk, though rich, grew free,
> From whom a fortunate wind doth blow away
> That evil which o'er Europe holds full sway."

Calling upon Liberty to inspire him, he says:

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"Thou whom no more beholds sad Italy,
Vainly bemoaning every day thy loss,
Bound in her hated chains which she, alas!
By having borne, now merits, must drag on
Her lengthy summer which will not be gone.
Thou who (and ours the fault) so many years
Didst leave our globe deserted and afar
Dwelledst perchance within some happier star
In an abode more joyful."

Then he blames the English, who, having so long known and entertained Liberty in Albion, are now trying to destroy her in America. He cries out:

"Only remaining son of Liberty,
Thou Pilot Nation, in thee is all her hope."

But he adds:

"Alas, what do I say? Not even thou
Remainest—"

He describes the landing of the hostile English and their mercenary Hessians on our shores thus:

"Not such an insult, Goddess, offered thee
Xerxes, when o'er the sea
He built his bridge to menace thee and Greece.
To the same end may them a just fate bring;
Since much more guilty than that barbarous king
Are they, not moved by glory, who would peace
For gold sell, and advantage give for gain."

The swords hired from Germany shall never, he declares fervently, be able to conquer those patriots, and he ends the ode with hope:

"Do I behold these valiant heroes quail?
In truth I see them pale
With suffering, but intrepid. Liberty
Their goddess is; shall they not win with her?"

In the beginning of the second ode the poet describes the conditions of the patriots exhausted with their efforts:

"Mourning in shadows, weary, afflicted, stand
'Twixt death and servitude
Those noble sons of Liberty
Whom Fate of all but their brave hearts hath robbed.
Not gold do they demand;
For virtue of it ne'er makes use, but need
Is there of arms and wool for clothes indeed."

At last aid is on its way to them from beyond the sea, and those waiting on the shore speculate upon the nations

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who have sent it. The poet takes this opportunity to denounce the selfishness of various countries. Finally the watchers behold the Fleur-de-Lis of France floating from the masthead of the ship which is bearing Lafayette to them.

The third ode is devoted to Lafayette. Is he a Gaul? asks the poet; and his answer is significant of his constant love of antiquity and his habit of considering as a survival from earlier and nobler days all that is estimable in our modern age. This is natural to an Italian for whom the connection with his classic ancestors has never been completely severed, as in our western world.

"Not he! not he! from Greece or lofty Rome
An ardent spirit came to make its home
Within his frame and shape in nobleness
His members, comeliness and virtue share."

Lafayette, Alfieri says, has delayed his departure by waiting for troops promised by the French king; but the poet rebukes him for expecting aid in such an unlikely quarter, and asks:

"What wouldst thou? Far sooner shalt thou see
The ocean fail for water, sooner see
The rivers climb again their pristine heights
Than that a king's heart opened be
To high compassion, pure magnanimity.
What dost thou? Leave the banks ingrate,
The shores of Seine, contaminate,
Where there is none to sweep for liberty
The streets—(a few years, and how those streets were swept with Blood!)
go thou alone, thine arm will be
Itself a stancher and more welcome aid
Than mercenary troops whose icy hearts
Are mute and dead to every high desire."

After further eulogy of Lafayette, he sternly bids the hero's wife not to weep at her husband's departure, nor even at the thought that he may be killed, since glory shall be his.

"O wife! now must thou change thy sad lament
To song, since on thy lids the tears sit ill.
To Mars and Liberty forever dear
Shall be his name."

The fourth ode is in praise of Washington. The invocation of Franklin as a sort of Quaker Muse is not devoid of a certain humor. It begins thus:

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"Thou ravisher of lightnings empyreal—
Franklyn, thou father, counsel, mind and soul
Of infant Liberty,
To my song the guide be;
For I have trusted thee, who knowest the whole
And secret drama of celestial fire,
That thou with it my spirit wouldst inspire."

After this invocation the poet seeks the region where abide the shades of the heroes of antiquity. Here he sees Scipio, Marius, Cato, and the victor of Salamis. All of these lovers of Liberty offer to return to her the gifts she once gave to them, that she may make of them a new and worthy use. From one

"took Liberty the sword;
From one the ample and impenetrable shield—
And then for her unveiled
Another his keen sight of future things—
And yet another, execution swift;
And one the wisdom that all leaders need;
Another gave his martial-sounding voice
That to the assault bids speed
E'en the slow coward."

Returning to earth, the goddess presents these various gifts to Washington, who modestly seeks to escape them. Having thus fortified him, she warns the English that their efforts against him will be in vain. She calls upon Washington to leave the valley (probably Valley Forge), where, like a wise commander, he has been husbanding the strength of his exhausted men, to come forth, since the appointed time has arrived for him to chastise those who had become traitors to liberty.

The fifth ode is devoted to the celebration of the peace and to the prowess of the American arms. The breath of freedom is wafted eastward across the sea to the suffering and expectant peoples of Europe, but is met and checked by an aerial counter-current of despotism. Here follows a terrible and graphic description of despotism which is conceived as a horrible monster, and the poet bewails the existing peace of Europe as unworthy of the name.

He, who had seen our war end so sanely and happily, was destined, like so many other idealists, to shudder at the excesses of the French Revolution which at first had seemed to them a harbinger of the millennium.

A sorrowing exile from a country which did not yet exist,

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he met here again his former sovereign, driven from his capital by the French invaders. Once before at Turin he had been presented to Victor Amadeus III. The king's minister had received Alfieri on his return to Turin in the most flattering manner, hinting at first and then saying openly that the king would be pleased to see him settled in his native country; and when Alfieri interrupted that he intended returning to Tuscany to pursue his literary work and studies, the minister replied that, though the profession of an author was a highly respectable one, there were certainly other and much more important situations which he, a noble, was worthy to fill. Alfieri refused, and it was against his will that he was presented to the king; but he could not bring himself to neglect altogether the polite usages of the society in which he was born. He writes in his autobiography:

"Though very far from being partial to kings in general, and particularly to despots, I must here confess that this family, taken on the whole, deserve some praise, especially when compared with those who at present occupy the thrones of Europe."

Then he quotes a speech of Pompey's, who sought refuge in Egypt:

"He who enters the house of a tyrant becomes a slave if he be not so already."

But now the king no longer sat upon his throne, and Alfieri's hatred of his office was not transferred to the man, who in his misfortune had a claim upon the poet's sympathy. He would have gladly offered his services to his royal fellow-exile, but his modesty made him remark that he did not see what advantage the king could derive from them.

Now upon the throne, not of Sardinia alone, but of the united Italy which Vittorio Alfieri helped create, sits Vittorio Emanuele, a descendant of the house of the exiled Amadeus, working faithfully in the interests of his beloved country.

Though in these days the readers of Alfieri's dramas grow fewer and fewer, Italy, who among nations is so unusual in the grateful remembrance in which she holds those sons who have deserved well of her, will not soon forget his name. And shall we of America not give one thought to him who heralded so enthusiastically and trustfully the era of our freedom?

VIRGINIA WATSON.

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# THE MESSAGE OF THE "MASTER BUILDER"

BY ALMA L. LA VICTOIRE

THE majority of critics and students of drama speak of Ibsen, the dramatist, as an individualist. He is, to them, a man who believes, and who writes plays to support the belief, that an individual, be it man or woman, has the right to overturn existing social order for his own freedom and development, no matter how universally accepted or of what value to mankind this same order may be.

For example: on this hypothesis "A Doll's House" maintains the right of Nora to leave husband, home, and children when she discovers that her ideas of loyalty, faith, and duty differ from those of Helmer. "Rosmersholm" endeavors to prove that a Rebecca West is only within her right to invade an otherwise happy home, and, finding in the husband the affinity she has been seeking, she goes not quite to the extreme of herself killing the wife, but disposes of her just as effectually. She persuades Beata that, as she is a detriment to her husband, her duty is plainly to sacrifice her life for Rosmer's happiness. Beata, finally convinced, throws herself into the mill-race. Very clever of Rebecca, but rather difficult of accomplishment in real life, and certainly not an idea for which as great a play as "Rosmersholm" must stand. So, as it is not reality and surely not ideality, the reader of "Rosmersholm" must, perforce, search further for a motive that Ibsen would have considered worthy upon which to build his play.

On this basis of thought a Hedda Gabler justifiably ends all for her when she finds that she has made a pretty mess of life and can no longer evade the responsibilities which are the result of her own actions.

Is it not true that the reader of Ibsen's plays, with this

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in mind, is continually demanding of himself and others an explanation of certain facts set forth in these plays, such as: How Nora could leave her children, granting that she and Helmer had reached the parting of the ways? How did Hilda, heartless and cruel though she was, burn Lovborg's manuscript? Why was Aline, poor and broken in spirit as she must seem to the casual reader, so ready to resent the presence of inoffensive Kaia Fosli, and then to accept so meekly the intrusion of Hilda Wangel?

Every play presents questions that are always being asked, for which numberless solutions have been offered, and which, many times, give rise to more perplexities, forming an endless chain of difficulties that return again and again to the same starting-point, and no wholly consistent and, therefore, no entirely satisfactory explanation is reached.

Then, too, as women in the plays are so often cast for the characters that revolt, it at once becomes an accepted fact that Ibsen is, above all else, a champion of woman's rights, as the term is employed in the highest, broadest sense. This interpretation may not be without reason, for it is known that Ibsen did feel a keen interest in many questions pertaining to the rights and wrongs of womankind, but in his plays he goes above and beyond this. The truths which he endeavors to illustrate and emphasize therein are broad and elemental. The general acceptation of them as living principles of action would obviate the necessity for such an issue.

Having thus started on the right path, but taken the wrong turn, the reader is led in devious ways that bring him to no satisfactory resting-place, and, overwhelmed with confusion, he dislikes and doubts the obvious conclusions, if these are the ideas for the foundations of the plays. It is no unusual thing, as a result of this misapprehension, to hear these dramas denounced as morbid, unwholesome, immoral, to say nothing of the more extreme terms that have been applied to him and to the ideas for which his plays apparently stand.

Nor is it surprising that the right of the individual to overturn the existing order for his own freedom and development is and ever will be questioned and resented by the majority. The maintenance of order demands this. The man whose efforts lead not only to his own freedom,

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but to greater freedom for his fellow-men, is not an individualist. That which is personal is rarely great, but the universal is great always. No play founded on that idea which encourages the greatest good for the least number can ever attain a permanent place in dramatic literature.

Is it not possible, then, that this theme of individual right may not be the best guide for a clear understanding of these powerful dramas, for powerful they are, ethically as well as technically?

The foregoing ideas for the motive on which the play of "The Master Builder" is written the writer does not sustain, but will endeavor to prove that Ibsen's effort is toward construction rather than destruction, that instead of advocating individual freedom, he strives to point the way to adjustment of the universal order. This means, of course, the greatest freedom for the greatest number. Not individual freedom, but individual responsibility.

In writing a play Ibsen is confronted by two problems. First, he has to utter a protest against certain wrongs that exist, for Ibsen is ever and always a reformer. Then, he must make his play enlist the interest and sympathy of his hearers, for, as he makes Rosmer say, "men are only ennobled from within." Reformation endures only when it comes from the heart. There are few who would choose the wrong if right were clearly seen, and wrong and all that it means fully comprehended. Eliza Allen Starr described heaven as a place where right is so plainly seen that wrong is impossible.

While Ibsen's ideas are strong and clear, his language simple, direct, his technique fine and finished, he gives to the characters so marked a personality, and his development of the play so holds the interest, it is not surprising that many of his auditors lose sight of the fact that Ibsen's people may stand for a class, or for a class representing an idea.

It is strange that what is not permitted to the individual is so often accepted from even a small class of people. It is true, too, that an idea appears less dangerous than the people who represent it. The class Hedda Gabler typifies is just as unproductive, just as desirous of shirking responsibility as she is. It destroys all productive force as ruthlessly as Hedda burned Lovborg's manuscript, and finally, like her, brings destruction upon itself.

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The individual who destroys the concrete thing shocks and horrifies the vast majority; the class which wrecks the force creating the concrete is tolerated with little protest; it is frequently envied, emulated, and admired. The abstract never appears as emphatic as the concrete, though sometimes greater in power.

So, through all of these plays of Ibsen, the people do and say things which, while seeming perfectly consistent in a class, appear strange in the individual, and it is this that so often makes Ibsen's point of view seem revolutionary, iconoclastic, and unacceptable.

The characters of "The Master Builder" are:

Solness, the master builder, the man of constructive ability, the genius, the man whose natural endowment enables him to do great deeds in whatever form of expression it may take. Knut Brovik, the man of the older generation, whose work is almost done, and who is supplanted by the genius of the present. Ragner Brovik, the younger generation, who is to do the work of the future, and who in his turn is to succeed the builders of to-day. Hilda Wangel, also the younger generation, who is to judge the work that has been done; in other words, public approval or disapproval. Aline Solness, the wife, who stands for the domestic side of the life of a great man. Kaia Fosli, the woman who is fascinated by a genius. Dr. Herdal, the physician.

These are always the people who surround a great man, the factors of life which present to him problems to be solved in one way or another.

The man of genius works for one of two things: Work for work's sake, for the attainment of perfection, or for the approval of the public and the rewards that follow in its train.

It might be well to consider for a moment just what the attitude of the one who works for the sake of work worthily done is toward the elements here set forth. The man of the older generation is the master, the one whose efforts have made better work possible, whose failures or successes have given him the experience by which the pupil may profit; for no one whose heart and soul are in doing the best work that can be done has the time or inclination to study with one less earnest than himself. Nothing engenders appreciation more than honest work honestly done, and when this



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is the objective point there is no room for jealousy. This last is also true of his position toward the younger generation. The man whose life is spent in conscientious effort has no desire to suppress or cause to fear the onward march of posterity. Public approval may come to him; it can never demand the fulfilment of a promise, the payment of a debt. It can never spur him to climb greater heights than realization of his own power will justify.

It is true that for the gift of genius and for its development the happiness of the home, the wife, and the children is often sacrificed to a greater or less degree. If this, however, is for the benefit of the larger number, there is some compensation and justification. On the other hand, if the loss of domestic happiness has for its object only the gratified vanity of one human being, what plea can be offered in defense? What need has the honest worker to trade upon the love of a Kaia Fosli to help toward success? Success to him means only the fulfilment of his own need of expression. He may upon occasion require the services of a doctor for some physical ailment, never for mental illness. His mind is vigorous, healthy, fine, and true.

The end of life brings to him the repose of spirit that only realization of duty conscientiously performed can give. Other men may have done greater things, and he may feel that his own ideal has never been attained, but his faith in the work never falters. There is no fear of retribution. No doubt assails his belief in his ideal. There is no cry that nothing is worth the doing. Master-builder Solness is not described by Ibsen as a man of this kind, but the reverse.

It has been the part of literature in the past to picture an ideal, to present a hero for emulation, to arouse admiration for the highest and best, thus to create a desire in the hearts of men to strive for that end. That this has been a wholly successful method is open to question, and so Ibsen presents the other side, the hero who is a warning rather than a model.

In "The Master Builder" he portrays the man who is working for public approval, and shows the consequences of such a motive. That Solness is a man of great constructive ability, of natural talent, there can be no doubt. Ibsen seems to think that men of genius have over and above this a gift that borders on the supernatural. Solness has the power to will things into being; he can "desire a thing

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so persistently—so inexorably—that at last it has to happen." He has, as Hilda expresses it, "a little of the troll" in him.

Ibsen does not say—of course he does not know—whether this is the result of the combination of qualities which makes genius, or whether it is a gift of itself. Possibly it is the spark of genius. Perhaps that which is called luck. It is no unusual thing to hear the word "lucky" applied to certain men. Opportunity, which is popularly supposed to present itself rarely, overwhelms them. Success awaits their slightest effort. Solness speaks of the "helpers and servers" who came and obeyed his will, and then explains that "that is what people call having the luck on your side."

Added to this favor of fortune, Solness has a devoted wife and two sons. A home, a family, and ability surely furnish an equipment and an incentive for worthy work. His talents place upon him a great responsibility to the world in which he lives, and he has taken voluntarily the responsibility of a family and its happiness. His first opportunity comes to him through the destruction of his wife's old home. While this meant an opening for Solness, it lost to Aline everything that life held dear: home, children, association, tradition, all treasures of the past, and all hope of usefulness for the future.

Solness seems to have an appreciation of this fact as he speaks of the sacrifices that Aline has been forced to make. For this he is overwhelmed by an immeasurable sense of obligation to her, and yet he makes no real effort to do the one thing that could offer compensation for such sacrifices. From the beginning to the end of the play there is no evidence that Solness owes any of his success to sincere work, and there is much to prove that it was chance that favored him. He is impressed by his own lack of faithfulness to such a trust, and he realizes that the time is approaching when he must pay a heavy price for his unprofitable stewardship. The fear of the future and the retribution that wait for him seem to be an ever-present, ever-haunting idea with Solness. Hilda finally suggests that he has a "sickly conscience," and is in need of one more robust, which is rather an agreeable way of recognizing an unpleasant fact, but the remedy offered is only an expedient to silence a complaint that has grown tiresome. It occurs to Solness

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that a "viking conscience" would be a rather convenient acquisition at this point, for it would enable him to follow his unworthy inclination and to escape the fear of the ensuing consequences.

Ibsen wishes here, doubtless, not only to make the character consistent, but also to point out that to sin and then to live in continual fear of the price to be paid is to sin doubly. This attitude of mind is not productive of any responsive sympathy in Hilda, and is one of the truest touches in the play. The vikings of old burned, pillaged, murdered, and committed crimes innumerable, but above all else they were brave. That is what they stood for in their own time, and as the world of to-day, a later public opinion, looks back at their deeds through the vista of centuries, a charitable haze obscures the crimes. Their freedom and fearlessness stand out boldly and clearly, until the word "viking" is really the embodiment of these two ideas.

When opportunity first comes to Solness, he builds villas which prove attractive, and, as he says, he "came to the front with a rush." Probably at first a certain amount of sincerity and pride of work entered into his tasks. After he has built a high tower on a church, it is this which enables him to mount its topmost pinnacle, and to place the wreath on the weather-vane, according to the old Norwegian custom. As he climbs ever higher and higher he feels the exultation of great accomplishment, and Hilda says that he sang aloud, and that "it sounded like harps in the air." In a few moments, however, he realizes that he has builded higher and better than he knew, for knowledge that may build villas successfully is not sufficient to plan the supports and weights and pressure of high towers; and so as he stands there, instead of resolving to study and strive in order to gain that which he lacks, he decides that he will build no more towers, but will plan homes for human beings. This sounds like a very fine sentiment and pleases him immensely, but it is the most flagrant pose. A man of this kind is always a *poseur*. Solness cares nothing for human beings and their homes. His only concern is for his own reputation, and his effort is expended in making use of everything that comes within his reach to enhance it, and in suppressing everything that menaces it.

As he stands on the tower the shouts of the people who have come to do him honor reach him; it goes to his head

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like new wine; he becomes dizzy. At the close of a day of feasting and rejoicing over the completion of the tower, Solness goes to the home of Hilda Wangel. It was she who had been foremost in the applause at the dedication; it was her voice raised in a shout of acclamation that reached him and made him dizzy, and it was to her, or the idea for which she stands, that he then pledged himself.

Men rarely acknowledge that it is public approval for which they are striving, but it is the financial reward, the influential position that follow its acquisition.

Solness may not realize at the moment that this is just what he is doing; in fact, he seems to have only a hazy recollection of such a promise. When Hilda first appears on the scene she is obliged to explain her identity and the purpose of her visit minutely and insistently. Nevertheless it was this idea, the approval of the public or of posterity, which dominated him and his work thereafter. The unfortunate thing for a man who has chosen thus is that, though he may have decided in a moment of half-intoxication, and does not realize the full import of what such a choice means, he must, if he has abided by it, in the end pay the price for that decision. It is the law of compensation which, no matter how jauntily ignored, works ever with relentless vigor.

The symbolism here is most clever. A certain feminine type corresponds very closely to the idea Hilda represents. It is coquettish at times, at others most tenacious in its demands, attractive, often alluring men from the path of duty and honor. Hilda is not a woman of bad intent, nor is public opinion an injurious thing; on the contrary, it is often a valuable factor in the social order, though never a goal for which to strive, not an end for accomplishment, not worth a lost ideal, a standard lowered.

All this is told in the first part of the first act; then with the beginning of the rising action Hilda announces that she has come to claim her kingdom, to demand the fulfilment of promises made. She invades the home and life of Solness and Aline, as unceremoniously and with as little protest from them, as the public usually does that of any great man who is depending upon its approval for success. She penetrates into their inmost joys and sorrows. Even the nurseries that for years have been kept apart in memory of little children are not secure from her intrusion.

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Hilda urges Solness on to better work, to build higher towers. If he is a really great man, why can he not build ever higher and higher? Why can he not stand upon the topmost pinnacle of whatever he has created? A man should always be as great as his work, and ought not to fear to climb as high as he has built. The public never accepts less than has been done in the past, but rather demands more and more. So Solness must either do the thing expected of him or acknowledge his failure, his inability to do to-day that which he did ten years ago. He takes the wreath and climbs the tower, but at its summit dizziness overtakes him and he falls. He cannot stand on the height. As he falls, Hilda cries, " My—my master builder." He is indeed hers; he has worked for her, he has lived for her, and at the end he dies to gain that which she represents—public approval.

This is Ibsen's protest against the motive of expediency, which is so great a factor in the world to-day, a protest against work not done for work's sake. Anatole France says that a man who strives for the approval of posterity can never be great. It is not his name nor what he creates that is known to future generations. Other men have voiced the same idea in a different way. It is the Bible story of the five talents, the two talents, the one talent, in a new form. It is, too, the story of the house built on shifting sands.

" The Master Builder " was written in the latter part of Ibsen's life, when, after years of accomplishment and strife always for the fine and true, he could see that the greatest blessing and not the greatest hardship of life is work. That there is no satisfaction so deep, no pleasure so lasting, as good work well done.

When France, devastated by war and revolution, cast about for material with which to re-establish a nation, this characteristic of the French people—the desire for the attainment of perfection in creative effort—was one of her most valuable resources. This surely is not a plea for individual freedom, but a statement of a condition that exists in all countries and among all people in a variable degree. A condition that perhaps in years past has not been so noticeably in evidence, but one that our modern civilization is bringing to the fore with appalling rapidity.

Ibsen was born in Norway, and lived there many years;

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he lived and traveled in other lands as well, so that it was not the small experiences of a narrow life that urged upon him the embodiment of this theme in a play.

It is the most serious problem before the people of our own country to-day. We are a nation of workers, but workers for reward; work is only a means to an end. The word "success" is so widely accepted with only one meaning that no one troubles to add the unnecessary qualification of financial. Expediency is the cry of the hour. Nothing is worth the doing that does not pay. Poorer material, quicker construction, larger profits.

This is the message of "The Master Builder." Encouragement for those who earnestly and honestly strive. Warning for the apostles of expediency.

ALMA L. LA VICTOIRE.

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# A LONG-FORGOTTEN "HIT"

BY GEORGE JAY SMITH

Two hundred and fifty years ago there was living in London a beautiful and gifted girl of twenty, who had already published a remarkable romance and who was to be for nearly thirty years a professional writer, the first woman who lived by her pen in England.

"She was a gentlewoman by birth," says her unknown biographer, "of a good family in the city of Canterbury in Kent; her father's name was Johnson."

The girl herself, who was born in 1640, bore a name variously spelled Afra, Aphra, Aphara, or Ayfara, and for literary purposes she often signed herself Astrea. She had "brown hair, bright eyes"; she was vivacious, witty, active, versatile, perhaps a bit free in manners. But on this point let us hear again her quaint biographer (herself a woman):

"As her Mind, so her Body was adorned with all the Advantages of our Sex: Wit, Beauty, and Judgment seldom meet in one, especially in Woman (you may allow this from a Woman), but in her they were eminent. . . . She was a Woman of Sense, and by Consequence a Lover of Pleasure, as indeed all, both Men and Women, are; but only some would be thought to be above the Conditions of Humanity, and place their chief Pleasure in a proud vain Hypocrisy. For my Part, I knew her intimately, and never saw aught unbecoming the just Modesty of our Sex, tho' more gay and free than the Folly of the Precise will allow."

In the northern part of South America is a country now called British Guiana. It was settled by the English in 1652, and a few years later, perhaps in 1656, Afra's father was nominated to the post of lieutenant-general of this colony, then called Surinam. He accordingly set sail "on the hazardous voyage of the West Indies," which indeed he never accomplished, for he died at sea.

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"With him he took his chief Riches, his Wife and Children; and in that number *Afra,* his promising Darling, our future *Heroine,* and admired *Astrea,* who even in the first Bud of Infancy, discover'd such early Hopes of her riper Years, that she was equally her Parents' Joys and Fears: for they too often mistrust the Loss of a Child, whose Wit and Understanding outstrip its Years, as too great a Blessing to be long enjoy'd. . . . Besides the Vivacity and Wit of her Conversation at the first Use almost of Reason in Discourse, she would write the prettiest, soft, engaging Verses in the World. Thus qualified, she accompany'd her Parents in their long Voyage to Surinam, leaving behind her the Sighs and Tears of all her Friends, and breaking Hearts of her Lovers, that sighed to possess what was scarce yet arrived to a Capacity of easing their Pain, if she had been willing. But as she was Mistress of uncommon Charms of Body as well as Mind, she gave infinite and raging Desires, before she could know the least herself."

The doubtless beautiful and romantic-minded Afra, now scarcely seventeen, in due course landed in Surinam, a country which she describes as a very paradise. Her geographical notions are more generous than accurate:

"'Tis a Continent, whose vast Extent was never yet known, and may contain more noble Earth than all the Universe beside; for, they say, it reaches from East to West one Way as far as *China,* and another to *Peru.* 'Tis there eternal Spring, always the very Months of *April, May,* and *June;* the Shades are perpetual, the Trees bearing at once all Degrees of Leaves, and Fruit, from blooming Buds to ripe Autumn. . . . The very Meat we eat, when set on the Table, if it be native, I mean of the Country, perfumes the whole Room; especially a little Beast, call'd an Armadillo, a thing which I can liken to nothing so well as a *Rhinoceros;* 'tis all in white Armour, so jointed, that it moves as well in it, as if it had nothing on."

Afra, as the daughter of the lieutenant-general, took up her residence in the beautiful estate of St. John's Hill. She describes the mansion, which was seated beside a river in a cool, shady grove. "The whole Globe of the World," she declares, "cannot show so delightful a Place as this Grove was."

But over the beauty of this idyllic land hung the dark shadow of human slavery; and a dreadful tragedy occurred during the young girl's stay in Surinam and almost under her eyes—the tragedy which forms the subject of her celebrated tale of *Oroonoko.* I say "tale," but it is usually styled a "novel" by her contemporaries, although it is certainly, in good part, history. Doubtless there is some invention in it, for, as one writer puts it, the African Prince

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Oroonoko is "somewhat fabulous." Our Astrea may have heightened her effects here and there for artistic reasons. But surely the story makes a profound impression of reality, there is nothing impossible or even improbable in the course of its events, extraordinary as they are, and there is little reason to doubt that the author gives the facts of Oroonoko's life substantially as she received them during her stay in Surinam. Perhaps we may call the book, then, historical fiction—the earliest example of a type that has been in recent times exceedingly popular.

But before passing to the story of Oroonoko let us attend briefly to the subsequent life of Afra. The next year, 1658, she returned to England. Presently, say at about twenty, she married a Dutchman named Behn. In 1660, it will be remembered, the Stuarts, in the person of Charles II., were restored to the English throne. Whether through her husband's influence or not Afra Behn had access to the Court, and it is known that her wit and charm pleased the King.

"She gave King Charles II.," says her biographer, "so pleasant and rational an Account of his Affairs in Surinam, and particularly of the Misfortunes of Oroonoko, that he desired her to deliver them publickly to the World."

She published the book not later than 1661. Before 1666 she was a widow. England and Holland being then at war, she was sent to Antwerp as a spy. We have a lively account of her doings there. She seems to have been pestered with suitors.

"They are mistaken who imagine," says the biographer, "that a Dutchman can't love; for tho' they are generally more phlegmatick than other Men, yet it sometimes happens that Love does penetrate their Lump and dispense an enlivening Fire."

This has an authoritative sound, and it seems to be borne out by the facts of Afra Behn's career. One of her admirers, a Dutchman by the name of Van der Aalbert, she promised to marry. They arranged to meet in England; he to sail from Amsterdam, she from Antwerp, on about the same day. Van der Aalbert died in Amsterdam of a sudden fever, and Afra herself had a narrow escape from death at sea, for the vessel on which she sailed was wrecked within sight of the English coast and she and a few others were with difficulty rescued.

She went to London, and as she never married again she

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began supporting herself by her pen. Her assiduity as a writer was remarkable. She became a prolific and successful playwright; but of the morality of her plays the less said the better, though it is fair to state that it does not seem noticeably worse than that of the other popular dramatists of the corrupt Restoration period. She continued to produce plays till 1687, two years before her death. She published also "poems" and a number of so-called "novels," the best of which after *Oroonoko* was *The Nun, or the Perjur'd Beauty.*

When she died, in April, 1689, to her remains was accorded the highest honor an English writer may look forward to. Her biographer says:

"She was buried in the Cloysters of *Westminster Abby,* cover'd only with a plain Marble Stone, with two wretched Verses on it, made, as I'm inform'd, by a very ingenious Gentleman, tho' no Poet: the very Person, whom the Envious of our Sex, and the Malicious of the other, would needs to have the Author of most of her's; which, to my knowledge, were her own Production, without the Assistance of any Thing but Nature, which shews itself indeed without the Embarrassments of Art in every Thing she wrote."

Tom Southerne, another dramatist of this period, owed the plots of two of his most successful plays to Mrs. Behn. Indeed, he expressed his wonder that she had not used them for dramas of her own. His play called "The Fatal Marriage," produced five years after her death, was a dramatization of her novel or tale already mentioned, *The Nun, or the Perjur'd Beauty.* And in 1696 he wrote his tragedy of "Oroonoko," which was regarded as his greatest production. It was performed many times, holding the boards at least as late as 1730.

*Oroonoko: or the Royal Slave,* as written by Afra Behn, was a book of only 125 small pages. It purports to be, and doubtless in large part is, the true story of a noble young man, an African prince, the grandson of the "King of Coramantien." The scene of the first half of the story is laid in this kingdom in Africa.

When we first meet Oroonoko he is a youth of seventeen, who has fallen madly in love with the maiden Imoinda.

Let us have Afra's description of his person (and be it remembered that she had actually met him and conversed with him in Surinam):

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"He was pretty tall, but of a Shape the most exact that can be fancy'd: The most famous Statuary could not form the Figure of a Man more admirably turn'd from Head to Foot. His Face was not of that brown rusty Black which most of that nation are, but a perfect Ebony, or polished Jet. His Eyes were the most aweful that could be seen, and very piercing; the White of 'em being like Snow, as were his Teeth. His Nose was rising and *Roman,* instead of *African* and flat: his Mouth the finest shaped that could be seen; far from those great turn'd Lips, which are so natural to the rest of the Negroes. The whole Proportion and Air of his Face was so nobly and exactly form'd, that bating his Color, there could be nothing in Nature more beautiful, agreeable and handsome. There was no one Grace wanting that bears the Standard of true Beauty. His Hair came down to his Shoulders, by the Aids of Art, which was by pulling it out with a Quill, and keeping it comb'd; of which he took particular Care."

The second time this young prince beheld Imoinda he declared his love for her and learned that his love was returned. He promised her that she would be his only wife, for it must be understood that in Coramantien polygamy flourished. The old King, Oroonoko's grandfather, maintained a numerous harem; and since he had a convenient system whereby the older wives became the servants of the younger, he was not averse to taking a new wife from time to time. When the old man heard of the great beauty of Imoinda he determined to see her, and by a trick he succeeded in doing so.

"She was a Beauty, that to describe her truly one need say only that she was Female to the noble Male, the beautiful black *Venus* to our young *Mars;* as charming in her person as he, and of delicate Virtues."

Our author goes on to say:

"I have seen a hundred White Men sighing after her, and making a thousand Vows at her Feet, all in vain and unsuccessful. And she was indeed too great for any but a Prince of her own Nation to adore."

Later on we have an additional detail concerning the beauty of both Oroonoko and his bride:

"I had forgot to tell you, that those who are nobly born of that Country, are so delicately cut and rais'd all over the Fore-part of the Trunk of their Bodies, that it looks as if it were japan'd, the Works being rais'd like high Point round the Edges of the Flowers. Some are only carv'd with a little Flower, or Bird, at the Sides of the Temples, as was Oroonoko; but Imoinda was carved in fine Flowers and Birds all over her Body."

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The old King, having beheld the girl, promptly sends her the "royal veil"—a form of summons which it is death to disobey. There is no help for it; she must enter the harem. She is conveyed to the royal residence. There she tells the monarch that she is the wife of Oroonoko—for their solemn betrothal, amounting to a legal ceremony, had already taken place. To offend the young prince, who is the heir-apparent and the mainstay of the throne, is a serious matter; but the old man is so infatuated by the beauty of Imoinda that nothing can deter him from adding her to his *seraglio*. On learning of her fate, Oroonoko is beside himself with rage and jealousy. His friends and advisers can hardly restrain his fury and madness, but at length they appease him to some degree by assuring him that the King is so advanced in years that he can be only a nominal husband to Imoinda. In point of fact, we are informed that the King was over a hundred years old!

Now follows an intrigue which smacks of the London of Charles II., though it takes place in the Court of Coramantien in "darkest Africa."

The old King assures Imoinda that Oroonoko has forgotten her, and the young prince pretends that such is the case. He acts his part so well that the King soon allows the prince and a friend named Aboan to visit the *seraglio*, but of course in the King's company. Thus Oroonoko contrives to see Imoinda, and their mutual eyes give assurance of undiminished love. When the King withdraws Imoinda from the company, Oroonoko falls writhing with jealousy. His agony wins him the sympathy of an old wife named Onahal, who is now a mere attendant upon the new favorite. Aboan (a true friend) makes love to this ex-wife, and she agrees to act as a go-between for Oroonoko and Imoinda. The messages she carries bring comfort to the hearts of the lovers.

On the occasion of a later visit of the young men, however, Oroonoko betrays himself. The lovely Imoinda was dancing before the King and his guests when, coming near Oroonoko, she tripped on a rug and fell. The enamoured youth leaped to catch her, and there before all the assemblage he clasped her so ardently to his breast that the old King flew into a vast fury. Imoinda was sent from the presence and Oroonoko was ordered to depart at once, on pain of death, to the Camp—for the chronic war with a neighboring nation had

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again broken out and Oroonoko was the war leader of his people. The King set spies on Oroonoko, who were to dog his every movement until his departure for the Camp.

Before the dancing, however, which was terminated by Oroonoko's indiscretion, Aboan had had a fruitful conversation with the old wife Onahal, making court to her with such effect that she appointed with him a secret meeting. She promised to open to him the gate of the orange-grove that night at a certain hour, and he stipulated only that Oroonoko might come also and thus be admitted to Imoinda.

The delectable plan was carried out to the letter.

The spies, however, apprise the King, alarms follow in the middle of the night, and soldiers come to arrest Oroonoko. The youth forbids them to enter. They return to the King, and Oroonoko, after a fond farewell to Imoinda, escapes. He and Aboan go to the front to take part in the impending wars.

The old King's vengeance is prompt and terrible. He is not satisfied with putting Imoinda to death. Hers is a worse fate, as the King believed; he sends her and Onahal away secretly to be sold as slaves. This was a doom meted out only to enemies, to captives taken in war. The people of Coramantien had no illusions as to the ferocity and heartlessness of the white men who came to that coast in quest of slaves.

Soon, in fact, the King's conscience troubles him, he repents of this cruelty to the beautiful young woman whom he knew to be Oroonoko's legal wife, and he is also in fear of the young prince's revenge. He sends a messenger to Oroonoko to say that Imoinda is *dead* and to ask forgiveness.

Oroonoko in reply disavows sentiments of enmity and revenge. He bears with proud stoicism the bitter grief and despair that would crush an ordinary man. But on one thing he is firm—he will fight no more. He tells his aides they must choose a general in his stead. They protest and plead in vain. Finally they choose Aboan, but in the battle which follows they are fearfully routed. The victorious enemy drives them back into their Camp. Hearing the terrible noise of slaughter, Oroonoko rouses himself, has himself armed, and rushes forth from his tent. He performs superhuman deeds of valor. His very presence restores the courage of his men, and a crushing defeat is turned into a glorious victory!

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After a time, having worn off the first torture of despair, Oroonoko returns to the Court and is greeted with the affectionate acclamations of his people. He now resumes his studies, for we must not suppose that this young prince was distinguished only for a perfect physique and for courage and skill in warfare. Though brought up in the wilds of Africa, he had received no mean education, for a Frenchman who had somehow chanced into Coramantien had taken charge of his instruction and had taught him not only French and Spanish, but English.

"He knew almost as much as if he had read much: He had heard of and admir'd the Romans: he had heard of the late Civil Wars in England, and the deplorable Death of our great Monarch; and would discourse of it with all the Sense and Abhorrence of the Injustice imaginable. He had an extreme good and graceful Mien, and all the Civility of a well-bred Great Man. . . . His Discourse was admirable upon almost any Subject; and whoever had heard him speak would have confess'd that Oroonoko was as capable even of reigning well, and of governing as wisely, had as great a Soul, as politick Maxims, and was as sensible of Power, as any Prince civiliz'd in the most refin'd Schools of Humanity and Learning, or the most illustrious Courts."

It chanced now that an English captain of gentlemanly manners arrived off the shore of Coramantien to purchase slaves. Captives taken in the recent battles were to be disposed of, and the captain was well entertained. He remained for a week or more, much of the time engaged in mutually interesting and instructive conversation with the Prince Oroonoko. The latter had a desire to see the fittings and arrangement of an English vessel, and the courteous captain arranged for a visit to be made. Accordingly one fine morning he sent his boats ashore and conveyed to his ship Oroonoko and Aboan, with their princely retinue of a hundred picked men.

When he had them aboard, this false-hearted wretch gave a signal, and suddenly his men seized the unsuspecting guests and bound them. There followed a scene of indignation and helpless rage. Oroonoko and many others for days refused food. They were capable of starving themselves rather than be sold into slavery. The captain, seeing the situation becoming serious, for emaciated or half-dead men have little value as slaves, deceived the noble-minded Oroonoko with false promises, removed his irons, and induced him to persuade the men to eat.

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They were all sold as slaves at Surinam.

Oroonoko became the property of the owner of St. John's Hill, the estate where the seventeen-year-old Afra was then living. Under the care of an Englishman named Trefry, Oroonoko, who was now given the name of Cæsar, was conveyed to the plantation. It was a journey of three days. All along the way people, both white and black, crowded to see Oroonoko, for his noble bearing and extraordinary beauty of person proclaimed him a ruler of men. All who beheld him were filled with admiration. Trefry conceived a high regard for him and became his firm friend, and when he arrived at the plantation many negroes there recognized him and all paid him a "divine Homage."

The best proof of Oroonoko's commanding presence was that he was made a slave in name only. No toil whatever was required of him. He was given a good house and was assured that when the Governor should arrive Prince Oroonoko would be freed and allowed to return to his African kingdom.

He learns now that there is a very beautiful slave girl on the plantation, but the information does not interest him and he refuses to take the trouble to see her. But by chance one day he encounters this girl Clemene. It is no other but Imoinda, and when she recognizes her husband she faints, but soon recovers, finding herself in his arms.

"'Tis needless to tell with what Transports, what Ecstasies of Joy, they both a While beheld each other, without speaking; then snatch'd each other to their Arms; then gazed again, as if they still doubted whether they possess'd the Blessing they grasp'd. . . . Cæsar swore he disdained the Empire of the World, while he could behold his *Imoinda;* and she despis'd Grandeur and Pomp, those Vanities of her Sex, when she could gaze on *Oroonoko.* He adored the very Cottage where she resided, and said, that little Inch of the World would give him more Happiness than all the Universe could do; and she vow'd it was a Palace, while adorned with the Presence of *Oroonoko.*"

The lovers are rewedded. But months go by, the Governor does not arrive, and Oroonoko grows restless and impatient. He is again assured he will soon be freed. Afra tries to distract his attention from his humiliation by taking him on hunting expeditions, and incidentally she shows that the art of nature-faking was as clearly among her accomplishments as if she were a man and living in the twentieth century instead of the seventeenth.

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First she tells of Oroonoko's encounter with

"a Monstrous Beast of mighty size and vast Limbs (an enraged and ravenous Tyger) who came with open Jaws upon him; and [Oroonoko] fixing his aweful stern Eyes full upon those of the Beast, and putting himself into a very steady and good aiming Posture of Defence, ran his Sword quite through his Breast, down to his very Heart, home to the Hilt of the Sword."

Oroonoko was badly clawed by the "Tyger," and the beholders all "extremely wonder'd at his daring and at the Bigness of the Beast, which was about the Height of an Heifer, but of mighty great and strong Limbs."

Another "Tyger" he killed with arrows.

"But when the Heart of this courageous Animal was taken out, there were seven Bullets of Lead in it, the Wound seam'd up with great Scars, and she liv'd with the Bullets a great While, for it was long since they were shot."

One day Oroonoko was of a party that went to visit the Indians, the natives of the country, whom the whites were never able to enslave. Afra gives some picturesque details about these Indians:

"We dealt with 'em in Beads of all Colours, Knives, Axes, Pins and Needles, which they us'd only as Tools to drill Holes with in their Ears, Noses and Lips, where they hang a great many little Things; as long Beads, Bits of Tin, Brass or Silver beat thin, and many shining Trinkets. The Beads they weave into Aprons about a Quarter of an Ell long, and of the same Breadth; working them very prettily in Flowers of several Colours; which Apron they wear before 'em, as Adam and Eve did the Fig-leaves."

We get a glimpse of Afra herself in the following description of their meeting with the Indians in the forest:

"We were dress'd, so as is most commode for the hot Countries, very glittering and rich; so that we appear'd extremely fine; my own hair was cut short, and I had a Taffety Cap, with black Feathers on my Head; my Brother was in a Stuff-Suit, with Silver Loops and Buttons, and abundance of green Ribbon. This was all infinitely surprising to them. The Indians admired our Shoes and Stockings, but more our Garters, which we gave 'em, and they ty'd 'em about their Legs, being lac'd with Silver Lace at the Ends; for they much esteem shining Things."

But these diversions were not enough to satisfy or render forgetful the proud soul of Oroonoko. His was not a nature



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intended for slavery, however lenient, and he longed to escape with his beloved wife to his native country. One Sunday he contrived to get the watchers or overseers drunk, and then he harangued the slaves, bidding them rise against their oppressors and strike for freedom.

"Do you not hear every Day how they upbraid each other with Infamy of Life, below the wildest Savages? And shall we render Obedience to such a degenerate Race, who have no one human Virtue left, to distinguish them from the vilest Creatures? Will you, I say, suffer the Lash from such Hands? *They all reply'd with one Accord,* No, No, No; *Cæsar* has spoke like a great Captain, like a great King."

Oroonoko led the slaves out into the forest. The whites, 600 strong, pursued and overtook them. There was some fighting, but the women and children ran in among the men and clung to them, begging them to yield. Only Oroonoko, Imoinda, and a powerful slave named Tuscan held out. But at length Trefry and the chief overseer Byam persuaded Oroonoko to yield, promising him not only pardon, but liberty.

"So that if you will be pleased to surrender yourself, all imaginable Respect shall be paid you; and your Self, your Wife and Child, if it be born here, shall depart free out from our Land."

Notwithstanding this signed agreement, as soon as all had returned to the plantation, the overseer Byam, having got Trefry away on some pretext and having removed Imoinda because she was expected soon to become a mother, had Prince Oroonoko tied to a stake and terribly whipped. He never uttered a cry even when they afterward threw him on the ground and put red pepper into the raw slashes and welts made by the whips. His sufferings were more those of the mind than those of the body.

For the treachery, the torture, and, above all, the gross indignity done him Oroonoko's one thought now was for revenge on Byam. Afra and other friends, hearing of the outrage committed by the overseer, hastened to visit Oroonoko and minister to his recovery. He was lodged in a room in the mansion house.

When partially restored to strength he proceeded to put into effect his plan. He sought Imoinda and walked with her some way into the forest. There he explained that he

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could live now only for the one object, revenge. But he well understood that even if he were successful his own death must sooner or later be the price. Could he then leave Imoinda, his beloved one, to the mercies of these brutes in human form to whom no promise was sacred, no inhumanity impossible? No, he must first take her life before striking at Byam.

So far from opposing this reasoning, Imoinda beseeches her husband to kill her at once, and prepares herself for the fatal blow. With an agony of grief and horror that can be better imagined than described, Oroonoko slays her. Then overwhelmed at the sight of his beautiful wife, dead by his own hand, he falls upon the body and gives way to the bitterest despair. For two whole days he lies there, until he is so weak he can hardly rise. He tries to spur himself to enact his vengeance on Byam, but his sufferings have been too great. His body refuses.

Meantime he and Imoinda have been missed. Searching-parties set out and at length they come upon him. Seeing them, Oroonoko rouses himself, staggers to a tree, and defies them. Again they make him promises.

"They swore all anew; and he only shook his Head, and beheld them with Scorn. Then they cry'd out, *Who will venture on this single Man? Will nobody?* They all stood silent, while *Cæsar* replied, *Fatal will be the Attempt of the first Adventurer, let him assure himself* (and, at that word, held up his Knife in a menacing Posture): *Look ye, ye faithless Crew,* said he, *'tis not Life I seek, nor am I afraid of dying* (and, at that word, cut a Piece of Flesh from his own Throat, and threw it at 'em), *yet still would I live if I could, till I had perfected my Revenge: but, oh! it cannot be; I feel Life gliding from my Eyes and Heart; and if I make not Haste, I shall fall a Victim to the shameful Whip.* At that, he rip'd up his own Belly, and took his Bowels and pull'd 'em out, with what strength he could; while some on their Knees imploring, besought him to hold his Hand."

But it took much to kill Oroonoko. When he fell they rushed to him and carried him to the house. A surgeon sewed up his frightful wound, and before long he seemed again on the way to recovery.

Once more now the infamous Byam gets Trefry and the girl Afra out of the way by a trumped-up request from a neighboring plantation. Then, with the field clear, he prepares to burn Oroonoko at the stake. The horrors of this final scene are thus told by Afra Behn:

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"He had learn'd to take Tobacco; and when he was assur'd he should die, he desir'd they would give him a Pipe in his Mouth, ready lighted; which they did: And the Executioner came, and first cut off his Members, and threw them into the Fire; after that, with an ill-favour'd Knife, they cut off his Ears and his Nose, and burn'd them; he still smok'd on, as if nothing had touch'd him; then they hack'd off one of his Arms, and still he bore up and held his Pipe; but at the cutting off the other Arm, his Head sunk, and his Pipe dropt, and he gave up the Ghost, without a Groan, or a Reproach.

"Thus died this great Man, worthy of a better Fate, and a more sublime Wit than mine to write his Praise: Yet, I hope, the Reputation of my Pen is considerable enough to make his glorious Name to survive to all Ages, with that of the brave, the beautiful and the constant *Imoinda*."

So ends Afra Behn's *Oroonoko,* with a prophecy which time has not justified, for her hero is long since forgotten and even the "Reputation of her Pen" is fallen into oblivion.

Southerne, in making his play of "Oroonoko," lays the entire action in Surinam and in several respects alters the story. For instance, in the play Imoinda does not die by her husband's hand; she takes the knife and kills herself. And at the end Oroonoko slays the Governor and then takes his own life. These changes may make the close of his career more befitting a tragic hero, but it is doubtful whether they add anything to the powerful effect of horror and pity left by Mrs. Behn's straightforward and very picturesque narrative.

The history of English fiction shows clearly a trend or evolution from the extravagant to the natural, from the romantic to the real, from the imaginary to the known. Mrs. Behn's stories appeared eighty years before Richardson's *Pamela* (1740), which is commonly called the first English novel. Compared with it her stories are very short (*The Nun, or the Perjur'd Beauty,* occupies only thirty-seven small pages); and they deal in general with remote scenes and imagined characters instead of picturing studiously the life of the society that surrounded her.

Yet, compared with what fictions had preceded hers, Mrs. Behn's narratives mark a decided advance toward reality. Such fanciful tales as Sidney's *Arcadia,* Lyly's *Euphues,* and Lodge's *Rosalynde* are by no stretch of language to be called novels. But enough has been given of her *Oroonoko* to show that it is meant to seem, and in part is, a transcript of an actual life, that it is direct and vivid in style,

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and that it evinces no mean power of portraying character. A full measure of credit, then, should be given Afra Behn as a pioneer in the making of the novel of to-day.

But aside from this is it not a remarkable coincidence that as far back as 1660, when negro slavery in America was in its infancy, the book *Oroonoko,* purporting to be fiction and written by a woman, should have set forth so living a picture of slavery and so moving an argument to condemn it; and that it was the pen of another woman novelist two hundred years later that by *Uncle Tom's Cabin* stirred and concentrated the sentiments of men against the same institution then intrenched and strong? On the wrong and suffering the word "slavery" covers, in this western hemisphere, in the history of that two hundred years, would that the curtain of man's forgetfulness might fall.

GEORGE JAY SMITH.

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# NEW BOOKS REVIEWED

THE EVERLASTING MERCY, and THE WIDOW OF BYE STREET. By JOHN MASEFIELD. New York: The Macmillan Company, 1912.

THE two poems which make up this volume undoubtedly appeared at the psychological moment. One cannot think of any other moment in the whole history of English poetry when they would have been received as great poetry; yet when they appeared in the *English Review,* the calls for the issue which contained them multiplied considerably the circulation of that periodical.

It is the moment when the conscience of mankind is very highly socialized; it is alert and alive as never before to the sufferings of the unfortunate and downtrodden. The note struck in each poem is that of the poignant experience of the plain man, the stark, simple human soul. Looked at from the standpoint of mere technique, these long narratives have very little of what we are accustomed to look upon as poetry. If one takes the old definition, "simple, sensuous, passionate," the sensuous element is almost entirely lacking. There is very little imagery and no exaltation of language. If, as Shelley said, the function of poetry be to lift the veil from the hidden beauty of the world and make familiar objects look as though they were not familiar, then again John Masefield's work is not poetry. But if poetry may consist in feeling poignantly and imaginatively the simple sorrows of simple humanity and reproducing them with a minimum of embellishment, then one can account for the appeal of these two poems.

Here and there one comes upon bits of pure delight in nature such as might be a direct heritage from Chaucer:

> "Out of a tuft a little lark
> Went higher up than I could mark,
> His little throat was all one thirst
> To sing until his heart should burst,
> To sing aloft in golden light
> His song from blue air out of sight."

There is effective use of contrast in "The Everlasting Mercy," from the blasphemy of the first part to the sudden beautiful hymn of joy to Christ, beginning:

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"O Christ, who holds the open gate,
O Christ, who drives the furrow straight,
O Christ the plow, O Christ the laughter,
Of holy, white birds flying after," etc.

As a sign of the times, a pointer to the direction which poetry is taking at the present moment, these two poems are very important.

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LECTURES ON POETRY. By J. W. MACKAIL. New York: Longmans, Green & Company, 1911.

To those who knew Oxford in the eighties of the past century, J. W. Mackail's is a name to conjure with, for was he not one of the joint authors of that slim, anonymous, white volume entitled *Love-In-Idleness?* What a mine of poetry that was! The little volume was the very century bloom of minor poetry. It was a perfectly natural progression which seated the poet-fellow of Balliol in the chair of poetry. *The Springs of Helicon* contained a large portion of the lectures given during Mr. Mackail's tenure, and the present volume holds the remainder. These lectures are not so closely related as those of the previous volume, ranging as they do over so wide a field as "Virgil and Virgilianism," "Arabian Lyric Poetry," "Keats," "The Poetry of Oxford," and "The Progress of Poetry." Yet, as the author says, all the essays bear upon the interpretation of poetry in some of its forms; poetry as the controller of sullen care and frantic passion; as the companion in youth of desire and love; as the dispeller and solacer in age of the ills of life, labor, penury, pain, disease, sorrow, death itself; as the inspiration from youth to age, and, in all times and lands, of the noblest human motives and ardors, of glory, of generous shame, of freedom and the unconquerable mind.

Through the chapters of this noble book one finds scholarly care, exalted learning, the restrained emotion one is accustomed to look for in any work that bears the author's name. Just an instant's surprise strikes us, however—a sudden realization that the spirit of the times is neither here nor there, but penetrating the whole world, even that refuge of traditions, Oxford—when we hear him speak of the "socialized commonwealth, which as a dream or a vision mankind begin to have before their eyes," and we take heart of grace when this authority tells us that when the better world is realized we shall have in poetry "a nobler interpretation of an ampler life."

In the lecture on the poetry of Oxford, which takes account of the poetry of Grey, Arnold, Shelley, Keats, to say nothing of the more modern poetry of men like *Ionicus,* Canon Dixon, Dean Beeching, Bowyer Nicholls, Robert Bridges, St. John Lucas, he says: "No poetry in the future will be the poetry of Oxford in any full sense which does not take account of more than Oxford poetry has hitherto taken account of; which does not take account of those other lives whose destiny is included with ours, those without whom the readers could not read, nor the artists live. The seven seals of the book which this university bears on her arms have been one by one opened. At the opening of the last there is silence; but it is in that silence that the seven angels take their trumpets and prepare to sound."

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THE SOURCES OF RELIGIOUS INSIGHT. By JOSIAH ROYCE. New York: Charles Scribner's Sons, 1912.

In this volume, made up of the Bross Lectures for 1911, Dr. Royce undertakes to give a reasonable basis for religious faith. Beginning with the individual experience as a source of religious insight, he passes on to our social experience; the function of reason; the interaction of the world and the will; and finally to his favorite theory that by mere stubborn loyalty to the principle we have accepted, as one of the truest sources of insight into religious reality. The sixth and seventh lectures seem somewhat unrelated to the remainder of the book. The sixth is given up to the age-old problem of evil and the great question as to why a good God made a bad world; and the answer is not very different from that given by Bradley a decade ago, that this is the best of all possible worlds, and everything in it is a necessary evil. The last lecture deals with the relation of the spirit to the church invisible. The lectures are readable and untechnical, and to those who have already learned to rely on the sources of religious insight which Dr. Royce cites they will have the power to confirm and strengthen. To the type of mind that is wearied with speculation and its uncertain results and has tied itself down to the narrower routine of relying upon verifiable fact and shutting the eyes to the uncertain fringe of light beyond they will hardly prove convincing.

"Insight," says Dr. Royce, "is knowledge that unites a certain breadth of range, a certain wealth of acquaintance, together with a certain unity and coherence of grasp, and with a certain closeness of intimacy"; and again he says: "Insight is knowledge that makes us aware of the unity of many facts in one whole, and that at the same time brings us into intimate personal contact with these facts and with the whole to which they are united."

Having defined insight, Dr. Royce proceeds to show that all religions are founded on man's sense of the need of salvation. Man as he naturally is stands in the greatest danger of missing his highest aim, or indeed of missing any higher aim, and thus living his whole earthly life as a senseless failure. With higher capacity unused, the end of the man may be worse than his beginning. With this danger in view, religious insight seems to consist in the sense of need of a way of salvation. A need to set up, in opposition to the apparent chaos of life, some plan above all others which shall give unity to our desires, some strength of spirit to overcome the world. Religion is really the vision of the transformation that a divinely enlarged power to comprehend and harmonize may give.

The chief source, then, of religious insight is a personal experience, man's sense of his own separate incapacity, and his need of a divine power toward which he may reach. It is what Plotinus of old called "the flight of the alone to the alone."

If our first hold upon a religious hypothesis is a personal need, a yearning of the finite toward a larger life, the first lesson of religion is the inclusion in our desires and our needs of our neighbor. What has religion to teach more saving, unifying, sustaining, than love of our neighbor, than salvation through human brotherhood?

Dr. Royce makes a strong plea for the office of the reason as a source of spiritual insight in contradiction to the modern tendency, led by Bergson, to trust the intuitions where reason has fallen short. If individual

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experience shows us our need and points to the ideal; if social experience leads us by the way of sympathy and love out of the loneliness of guilt and failure toward a fuller life, it is the function of reason to see life steadily and to see it whole. The unreasonable person sees but one thing at a time and grasps the immediate only. The reasonable man builds up a synthesis, finds a process of getting connected experience on a large scale. To Dr. Royce the reasonable synthesis takes form in the faith that the world is the object of an all-inclusive and divine insight, and that whatever is a reasonable is, likewise, a divine enterprise. Dr. Royce's philosophy of loyalty is too well known by the volume on the subject and by his lectures to need recapitulation here. In a short chapter he states once more his theory that by loyalty to the choice once made we grow to deeper insight into its reality. The question which any skeptical mind would put here is obvious. Do we thus grow into a reality independent of ourselves, or do we merely further substantiate our own hypothesis, which is unrelated to any objective reality independent of us? At any rate, Dr. Royce's is a book to make the reader rejoice in such spiritual prowess as he can muster to meet the great adventure of life.

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THE CHURCH AND THE AGE. By W. R. INGE. New York: Longmans, Green & Company, 1912.

In 1899 the gloomy Dean of St. Paul's published his great book, *Christian Mysticism*. By this book it would have been well to have known him to the end. He is a contemplative to whom the actual world is as painful as acid on a wound, and the present volume brings out all the irritation, unreasonable and unwise, of such a nature looking on at the changing life of the day and presenting it.

The little volume consists of a preface and four lectures delivered originally to ladies on the subjects: "The Spirits of the Age," "The Spirit of the Ages," "The Church," "What Can We Do?" Dean Inge is a violent opponent of democracy, which he considers absurd and irrational. The nineteenth century he considers the most remarkable since the beginning of history, with the possible exception of the one which witnessed the discovery of America, the Renaissance and Reformation, the printing-press and Shakespeare, but at the present time the giants are dead, and the Dean can discern little about him but a dismal dearth of genius. "The race-spirit," he says, "is resting on its oars after an exhausting spurt." This he thinks cannot be seriously disputed. The pragmatist is merely one who "with exultant war-whoops dances on the prostrate form of absolute idealism." Modernism is only pragmatism transferred to the field of religion. Democracy is the silliest of all fetishes worshiped among us. Progress is a foolish catchword. There is no hope, in England, at any rate, of ever seeing a dense population with high wages and short hours of work. The modern horror of taking life seems to the Dean very unnatural and only a temporary phase, and he looks forward to a State that "will kill mercifully but freely."

This last phrase from the first essay is really as amusing as it is amazing, and compares oddly with an assertion in the last essay that "we all know the unique stress which our Lord lays on love and sympathy"; and another in which he tells how the average Greek will rob whenever he gets

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a chance, or knife a fellow on slight provocation, but will not eat a sandwich in Lent. "What has this kind of religion to do with Jesus Christ?" asks the Dean. What indeed? And what has that religion to do with Jesus Christ which says that the sufferings "of the poor are often very real," and while it is right that Christians should wish to see them relieved, there is really nothing much to do but assure the sufferers that the Kingdom of Heaven is within them? A religion which hopes that the State will kill freely! A religion which thinks that we have no right to secularize Christianity either by echoing the cries of class warfare or taking note of the sufferings of the downtrodden! "The thing to do," says Dean Inge, "is to assure all sufferers of the immeasurable superiority of spiritual goods over material." This is a futile and silly process for agonized, diseased bodies and brutalized minds!

Dean Inge is a contemplative, and no one can read his little essays without feeling how immeasurably superior he must really be to the opinions he is uttering. They are full of the spirit of that gentleman who sneered at humanitarians because, he said, "their love of humanity is exaggerated as their love of God dwindles." We offer it as a truism stated by the highest authority that there is only one way of proving a love for God, and that is by loving the brother whom we see.

A trenchant and vital expression of a mind utterly at war with the modern tendency to be our brother's keeper, to accept responsibility for the evil and the suffering in the world, the gloomy Dean's book is helpful to the very cause he abhors.

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THE IDEAL OF JESUS. By WILLIAM NEWTON CLARKE. New York: Charles Scribner's Sons, 1912.

To drag our inherited Christianity out of the clutches of ecclesiastical misconception, and re-establish it, not as a set of doctrines or a scheme for institutions, but as an idea of life which men may accept to-day, is a task for many efforts. Dr. Clarke has attempted it here in a virile, if rather rough-and-ready, way. Of the germinant vitality in the seed of Christian teaching he is convinced, and that the teaching and example of Jesus taken together will offer a theory of life capable of meeting all the changes of the ages.

Jesus, he says, was no builder of pyramids, no founder of unchangeable institutions, but an inspirer of men. What we need to-day is a broad understanding of the mind of Christ. Although much is unknown of Jesus's life and teaching, we have enough left to find out what in the main He stood for. We know that He was a teacher of ethics; of what men ought to be and to do; that He neither stated nor discussed doctrines; that although the time in which He lived was full of orthodox formalism, He never formalized, but insisted that the spirit exceeded the letter. His self-sacrifice was set in a higher key than men had yet heard. He was unprofessional and unconventional. He taught personality to direct itself from within. He taught what was new to men two thousand years ago, and what is strange to their ears to-day—namely, that retaliation is inexcusable; that we must not resist the evil man, but heap good upon his head; that enemies are to be loved; that blessing is the correct return for cursing; that requests must not be refused; that we must give without

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measure. In short, that man must allow himself no little corner of selfishness. This is all familiar matter, but the counsels of Jesus have been so darkened by disputes and formalism and by the contrary course of civilization that perhaps the simplicity of the doctrine cannot be too often repeated.

The book is carelessly written, without elegance or even precision of style, but it is a sincere and simple plea for the study of the true significance of the teachings of Jesus.

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SURGERY AND SOCIETY. By C. W. SALEEBY, M.D., F.R.S. New York: Moffat, Yard & Company, 1912.

This book is an attempt to define in plain, untechnical language the part surgery has played in the society of the nineteenth and twentieth centuries, and it deserves perhaps more space than can be given to it here, on account of the sociological importance that naturally attaches to a subject so interwoven with society's needs as surgery has been.

The author takes early occasion to reaffirm his position in Eugenics, of which he has become a leading exponent in England, and to associate this race culture with Listerism, or Modern Surgical Methods, the application of which to maternity cases has resulted in the disappearance of that greatest of all plagues, puerperal fever, and the presentation to the State of normal, healthy children. Without going into the question of the quality of progeny, rather than the quantity, it is of absorbing interest to read in these pages the disappearance of infectious fever that used to be carried by doctors, ignorant of science, on their hands and clothes and instruments, from mother to mother, killing all, until in some periods whole villages were completely deprived of their child-bearing women. "The proportion of those killed in giving life was higher than among those that went forth to take it in battle," the author says.

Under these circumstances, it was impossible, with the conditions of urban segregation of which the nineteenth century was giving evidence, to maintain a healthy population. Not only was this scourge more ruinous to the State than war, sapping the lives of thousands of mothers, but most of the other great epidemics were untreated because the origin of them was unknown.

These were the conditions then when Pasteur discovered the process of fermentation early in the nineteenth century. It was perhaps the most singly beneficent scientific fact that the century has to boast of. It is said that following this discovery and others of an allied nature by Pasteur, and in consequence of them, the products of the industries of France became more than sufficient to pay the German war indemnity of 1871. But more than this, it led Lister, who was then a young surgeon in Glasgow, to the discovery of the causes of infectious fevers; because he reasoned by analogy that if fermentation, as in yeast, was produced by a single agent, or ferment, that single agent, or germ, or causative influence, was responsible for the communicable fevers, which seemed themselves to be of a fermentable nature. Thus was the germ theory born.

Lister now sought the life histories of these germs: the media in which they thrived, and that in which they died; and in 1868 announced his results to the surgical world, launching the great antiseptic and aseptic

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movements that were to transform the practice of the ages, and were to result "in the saving of more lives every year than Napoleon took in all his wars."

This was the origin of modern surgery and preventive medicine; how it has developed and what it means to human society is told through many interesting chapters which will be carefully read by those who are interested in knowing how it has happened that vast masses of people can now live in the great cities of the world without fear of the epidemics that formerly devastated them from time to time.

The changing social needs of the people and their relations to the medical profession are discussed from a novel standpoint, and will doubtless prove of great concern to the medical man who reads that, as a curer of disease, he has outlived his usefulness, and will soon pass into history along with the diseases that Pasteur and Lister and their followers have taught them to prevent.

The rest of the book is taken up with various sociological phases that relate to the medical profession and to vivisection as a medical man sees it.

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DAILY BREAD. By WILFRID WILSON GIBSON. New York: The Macmillan Company, 1912.

Nothing could more definitely prove the spreading sense of brotherly obligation and responsibility in the world than the fact of the unremitting preoccupation with them shown by all the young dramatists and poets. Everywhere the consciousness of human suffering is becoming more poignant, and expressing itself as all real emotion will in altruistic action. Masefield, Galsworthy, Barker, Besier are all writing of the rights of man and the claims of the downtrodden. It is the same theme which inspires this volume of poetic monologues and dialogues by Wilfrid Wilson Gibson. In a lovely and poetic foreword the poet compares his growing sense of the travail and sorrows of the world to one who, wakened at midnight by the cries of the golden plover, soon hears the breaking of the surges on reef and rock, until all sense of self and personal destiny are drowned in the mightier music of humanity:

> "So I, first waking from oblivion, heard
> With heart that kindled to the call of song,
> The voice of young life, fluting like a bird,
> And echoed that light lilting; till, ere long
> Lured onward by that happy, singing flight,
> I caught the stormy summons of the sea,
> And dared the restless deeps that, day and night,
> Surge with the life-song of humanity."

Except for the short, lyrical foreword, the poems are all long and all in narrative form. In them is simplicity of *motif*, searching pity, an almost Wordsworthian penetration of the heart of naïve humanity. Not quite so touching as Wordsworth's Margaret, Michael, and Lucy lyrics, these poems are yet deeply human and full of the beauty of profound feeling and intimate understanding.

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China in Transformation. By Archibald R. Colquhoun. New York: Harper & Brothers, 1912.

The present volume is an enlarged and revised edition of the publication of 1898, and deals with the transformation of China from its political aspect and its relation to foreign powers. Mr. Colquhoun gives as the distinguishing characteristics of the Chinaman, his passion for labor, his docility, and temperance.

The author disagrees entirely with Mr. Ross, of *The Changing Chinese,* as to the fighting ability of the people. Mr. Ross says the fighting spirit of the Chinese is dead, and that even the little boys in the street content themselves with a brandishing of fists and abusive language; whereas Mr. Colquhoun upholds the Abbé Huc in his statement that it may be possible to organize in China the most formidable army in the world. Also Mr. Colquhoun is much less satisfied than Mr. Ross with the work of the missionaries in China. This may, of course, be due to the fact that this part of the book was written fourteen years ago, and perhaps not revised by more recent inspection. At any rate, Mr. Colquhoun feels that the missionaries frequently give grave offense to Chinese theories of propriety by the carelessness with which the sexes meet, by the attempts of the missionaries to remove their native converts from local jurisdiction, by neglect of etiquette in intercourse with officials, by requiring vengeance on anti-Christian rioters, etc. He also feels that we offer China a system of ethics in many respects inferior to their own. It can only be said that in this estimate of the value of the services of the missionaries Mr. Colquhoun is in a very small minority. There is hardly a voice raised against the missionary work now done in foreign lands. We are sending out a very different class of men from those who went two decades ago, and a much more able, tolerant, well-informed, well-prepared class of men. Their work is appreciated even by those least convinced of their doctrines. The medical missionaries have done untold good to China.

The chapters on "The New Learning" and "Foreign Relations" are full of interest for American and English readers. The caliber of this people may be estimated by the numerous testimonials of all the travelers and observers of the last twenty years. China possesses nearly one-fourth the population of the world. To awaken this sleeping giant and to give it part in the commerce and the counsels of the world must profoundly modify the commercial policy of both Great Britain and America. Our greatest hope must lie in the conviction, attested by the majority of observers, that the Chinese are a people of sterling and virile quality, and that after the initial disorders they will achieve a stable and respectable government.

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The Changing Chinese. By Edward Alsworth Ross. New York: The Century Company, 1912.

With the awakening of China and the introduction of Western culture into the Middle Kingdom, books are pouring from the press to explain to the world at large what manner of man is taking in hand the weapons of progress and enlightenment. Dr. Ross, the author of this extremely interesting book on China, makes no pretense of having made an exhaustive study of the subject. His book is the result of six months of diligent

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travel and inquiry. He admits that no traveler who consults the old treaty-port residents will ever have courage to write his impressions. They all report that the longer one lives in China the less can one fathom the depths of the wily alien. To Mr. Ross China is the Middle Ages suddenly made visible. The narrow, crooked, poorly paved streets, where traffic filters painfully through the six-foot passage; the one-storied buildings, the lack of water-supply and public lighting, the absence of chimneys and window-glass, the low standard of cleanliness, all turn one back to the fourteenth century in Europe.

The toughness of the race fiber of the Chinese Mr. Ross attributes to the reckless manner in which the inhabitants are weeded out in infancy. Those infants that have not vitality to withstand the unhealthy conditions and neglect that surround them die out. Out of ten children born with us, about three die, says Mr. Ross. Out of every ten in China, eight die, but the two survivors hand down an inheritance of great vitality. The recklessness with which the race is increased, quite regardless of all ability to provide for it, seems to the author the crying evil of the nation. Nowhere else is human life held so cheap. The concubine has a legal status and her offspring are considered legitimate. Not one woman in a thousand in China remains a spinster. The race is blindly multiplied, when there is no longer room to raise more food for them.

In a census paragraph cited by the author there is a return of 14,000 souls for a country district of eleven square miles, nearly 1,200 to the square mile. Shantung reports 700 to the square mile.

One of the most interesting chapters in the book is that on the unbinding, body and mind, of the women. The missionary schools meet the current need of the women better than the government schools. With the unaccustomed liberty so suddenly granted, the restraints of a Christian education are almost a necessity. Indeed, it is encouraging to hear from this unprejudiced outside observer, and professor of sociology, of the good work done by the missionaries in China. Of the fourteen hundred Roman Catholics and the four thousand Protestant missionaries now working in China, Mr. Ross reports only good. The English missionaries, he says, concentrate chiefly upon evangelizing and translating, while the Americans work hardest in medical and educational fields. The British are more interested in the eternal welfare of the souls of the Chinese, while the Americans, with their democratic zeal for man, aspire to help them upward in the present.

This volume is popular and interesting, and will give a vivid impression to one who has not seen the country.

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MARTIN LUTHER: The Man and His Work. By ARTHUR CUSHMAN McGIFFERT. New York: The Century Company, 1912.

All thinking people like to reconstruct for their own benefit certain historic figures, and every age recreates, in a way, the world's great men; so that history is being continually rewritten. These forceful personalities represent so much, stand for ideas and ideals so vital, that their influence is still active and formative. But the orientation of the human mind to truth and to truths differs from age to age, and the readjustment of historic views is itself a study. Within four hundred pages Dr. Mc-

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Giffert has presented an excellent characterization of *Luther, the Man and His Work*. Few lives of great men are better known than Luther's, but wealth of material does not always make the biographer's task easy, and in this case, perhaps, it is for many reasons rather the more difficult. The slag of controversy is not yet cool, and Luther was one of the world's greatest controversialists. Theological battle was to him the breath of life, and he was a doughty warrior. But he was no Damascene blade, exquisitely fashioned and tempered, but rather a rude hammer, like Thor's, fitted for the breaking up of the nations. The things that are truisms to-day, trite commonplaces of thought and conduct, were scarce more than breathed in Luther's time, so it is the harder to make the average man and woman—living ever more and more within the immediate present—harder to make such realize how great Luther was and how much he accomplished. It is somewhat the fashion of our day to write history with as little saliency as possible, to make it a study in sepia or soft grays, for instance, to rehabilitate all the villians, and unfrock all the heroes, so that our loves and hates, our admirations and abhorrences, shall be pretty much on a level and all of a color. Fortunately, Dr. McGiffert does not so understand human nature and history, and has satisfied reason and imagination, both. He has presented his hero finely and humanly, and has retained Luther the genius, while not minimizing Luther the man. Much more the child of his age than was either Erasmus or Melanchthon, we are made to perceive that his very humanness, his nearness to the people, was one of the greatest factors in his achievements. Weak on the constructive side as a statesman and political economist, Luther took his stand on the underlying verities of human life—the family and the home. As men are sometimes better than their political institutions and laws, so the moral sense of a great body of the German people had, in Luther's time, far outstripped certain ecclesiastical errors. Luther's own sturdy father was an instance in point. It was the ringing approval of Germany's conscience that gave power to the famous Theses. For once the man and the hour were surely coincident. Though lacking in reconstructive imagination, Luther was mercilessly clear-eyed as to the existent evils of society and of ecclesiastical life, evils which must be swept away before any social reconstruction was possible. Strong, rugged, coarse, but intensely human, he stands out in Dr. McGiffert's pages a very real figure. Luther performed two great services to life in general as well as to the modern world. The first was his recognition of the spiritual truth that the soul stands in direct and immediate relationship with God; and the second "lay in his recognition of the normal human relationships as the true sphere for the development of the highest religious, as of the highest moral, character."

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THE WORLD OF DREAMS. By HAVELOCK ELLIS. New York: Houghton Mifflin Company, 1911.

The work of Freud and Jung in the last twoscore years has tremendously stimulated the interest in and study of dreams and dream-life. Freud's *Traum Deutung*, which we believe has now been translated into English, has had notable influence on all the younger physicians. Havelock Ellis states that there are four ways of writing a book on

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dreams: the literary, the clinical, the experimental, and the introspective methods, and it is the last which Havelock Ellis has chosen. He is chiefly interested in the problems of normal dreaming, and he admits that his contribution to the psychology of dreaming is simple and very unpretentious. It seems to Havelock Ellis that in the past the literature of dreaming has been overweighted by bad observation and reckless theory, and that by learning to observe and understand the ordinary nightly experience of dream-life we are best laying the foundation of superstructures. He analyzes the spontaneous procession of dream imagery, the nature of drug visions and hypnotic dreaming, the fusion of dream imagery with its strangely dissolving imagery, the subconscious element in dreaming, the logic of dreams, the play of the senses in dreams, as well as the part taken by the emotions and memory. A special chapter is given over to that odd phenomenon of floating or flying in dreams which the author calls dream-aviation. The chapter on symbolism in dreams strikes us as somewhat thin and inadequate. In conclusion Mr. Ellis finds a close relation between the dream life and insanity, as he also points out that a rich and vivid dream life is not infrequently the direct source of literary activity.

We commend Mr. Ellis's book because it is an interesting and open-minded inquiry and shows none of the hall-marks of prepossession with any one special interpretation. This attitude of *parti-pris* has lessened the value of several books of dream-interpretation.

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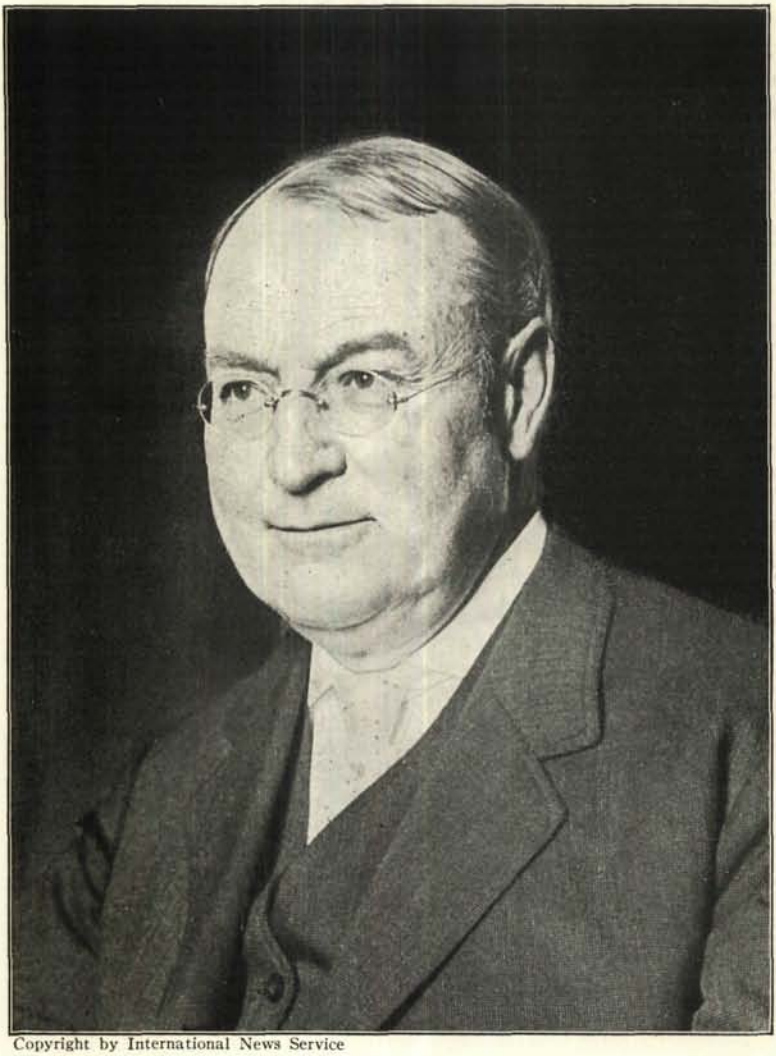

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